

CRL. OP. NO.4457 OF 2016**K.KALYANASUNDARAM.J.**

The petitioner, who is arrayed as A3, apprehends arrest at the hands of the respondent police for the alleged offences under Sections 120(b), r/w 419, 468, 471 & 420 IPC in Crime No.02 of 2016 and seeks anticipatory bail.

2. The case of the prosecution is that the father of the defacto complainant was allotted a share in the partition deed executed in the year 1989 and he died on 19.03.2007. While so, the first accused, who is the paternal uncle of the defacto complainant by forging committing impersonation, executed a Power of Attorney in favour of the second accused in respect of property of the defacto complainant on 17.10.2005, who in turn mortgaged the property with Axis Bank and for default in payment of loan amount, the property was sold in auction and one Girija has purchased the property.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. It is further submitted that the prime accused 1, 4 and 7 were arrested and released on bail. Even as per the allegation, the petitioner has signed as one of the witnesses to the registered Power of Attorney dated 17.10.2005.

4. Heard the learned Government Advocate (Crl.side) appearing for the respondent.

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5.Considering the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the Judicial Magistrate Court, Special Court for Trial of Land Grabbing Cases, Coimbatore and on his executing a bond for a sum of Rs.10,000/- [Rupees Ten Thousand only] with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that the petitioner shall appear before the respondent police daily at 6.00p.m. until further orders. The petitioner shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7.The petitioner shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

18.03.2016

adl/sms

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