

Crl.O.P.No.6769 of 2016

K.KALYANASUNDARAM,J.,

The petitioner, who is arrayed as A1 apprehends arrest at the hands of the respondent police for the alleged offences under Sections 327, 365, 384 and 506(i) of I.P.C. in Crime No.40 of 2016 and hence, seeks anticipatory bail.

2. The case of the prosecution is that the husband of the defacto complainant viz., Palanivel was kidnapped by A1 along with other accused on 01.02.2016 and after forcefully making him to consume alcohol, they obtained signatures in the general power of attorney in favour of A1.

3. The learned counsel appearing for the petitioner would submit that the petitioner and alleged victim are friends and they have been doing real estate business. It is further submitted that on 07.01.2014 the alleged victim agreed to sell his property for a consideration of Rs.25,00,000/-fixing 18 months for completion of sale. Since the alleged victim has already received a sum of Rs.10,00,000/-from the petitioner, he executed a power of attorney in favour of the petitioner on 01.02.2016, which was registered as Doc.No.253/2016 before Sub Registrar Office, Thirukannur. He would also submit that the alleged victim was secured on the same day and the petitioner has been falsely implicated in this case with a malafide intention.

4. The learned Government Advocate (Criminal side) submitted that on 01.02.2016, the accused made the victim to consume alcohol and

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thereafter he got his signature in the power of attorney. He would further submit that the petitioner has no bad trace records.

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 learned Judicial Magistrate Madurantakam 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 10.00 a.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.

07.04.2016

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