



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.02.2022

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Cr1.O.P.No.1885 of 2022

Mr.T.A.Vel Anandan

... Petitioner

Vs.

State rep. by its
The Inspector of Police,
District Crime Branch,
Thiruvallur District,
Thiruvallur.
(Cr. No.99 of 2021)

... Respondent

PRAYER: Criminal Original Petition has been filed under Section 438 of Cr.P.C praying to enlarge the petitioner on bail in the event of the arrest in Crime No.99 of 2021 on the file of the Respondent or on his appearance before the concerned Court to release him on bail.

For petitioner : Mr.M.P.Saravanan for
Mr.K.Elumalai

For Respondent : Mr.A.Gokulakrishnan
Additional Public Prosecutor

For Intervener : Mr.R.P.Murugan Raja
Government Advocate

ORDER

(The case has been heard through video conference)

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 417, 419, 420, 465, 468, 471, 506(i) of IPC, in Crime No.99 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that Mr.Chandiran and his brother Venkateshan purchased a land in Sy.No.20/2 in Ayathur Village, Tiruvallur Taluk, admeasuring 1.94 acres from one A.B.Jayaraj in the



year 1981. Thereafter, in the year 1985, first and second accused created the fake document and impersonated them through registered sale deed on the file of SRO, Thiruvallur. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he is innocent and he has been falsely implicated in this case. He further submits that he is a document writer by profession and with the instructions of A1 and A2 he executed the documents. He further submits that the first and second accused were already released on bail in Crl.OP.Nos.343 & 445 of 2022 on 10.01.2022. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that the petitioners have fabricated the signature and created Non-Traceable Certificate. Further, the petitioners along with other accused persons had intention to grab the property belongs to the defacto complainant. However, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the submission of the Additional Public Prosecutor, 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, within a period of fifteen (15) days after lifting of lockdown or the commencement of the Court's normal functioning whichever is earlier, before the learned Judicial Magistrate No.II, Tiruvallur, on condition that the petitioner shall execute 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner is directed to appear before the respondent police on every Saturday at 10.30 a.m. until further orders.

(c) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner shall not abscond either during investigation or trial;



(e) on breach of any of the aforesaid conditions, the learned Magistrate/ Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

02/02/2022

This order, on being produced, be punctually observed and carried into execution by all concerned
TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE JUDICIAL MAGISTRATE,
NO.II, TIRUVALLUR.

2 THE CHIEF JUDICIAL MAGISTRATE
TIRUVALLUR [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
THIRUVALLUR DISTRICT, THIRUVALLUR.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 CC to M/S.M.P.SARAVANAN Advocate on payment of necessary charges SR.NO.1743

CRL OP.1885/2022

Date :02/02/2022

RW 08/02/2022