



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Eleventh day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL ORIGINAL PETITION No.10876 of 2022

AMEER JOHN

[PETITIONER / ACCUSED]

Vs

STATE REP BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
ANTI LAND GRABBING SPECIAL CELL,
SP OFFICE BUILDING, TIRUVALLUR DISTRICT.
(CRIME NO.9/2021)

For Petitioner : M/S M.J.JASEEM MOHAMED Advocate

For Respondent : MR.S.UDAYAKUMAR, Govt. Advocate (Crl. Side)

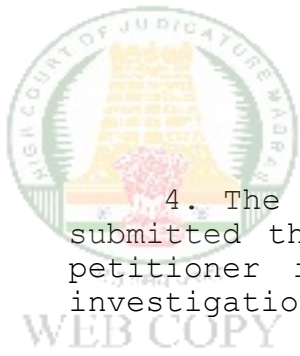
PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 419, 420, 423, 465, 466, 468 and 471 IPC, in Crime No.9 of 2021, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the property belongs to the mother of the de facto complainant and the petitioner. Their mother died on 29.03.2018. Taking advantage of the same, one of her brothers viz Ameer (the petitioner) impersonated as Basheer, who is another brother of the de facto complainant, settled the property on 26.06.2018 in favour of Sheik sameera, who is the wife of Basheer.

3. The learned Counsel for the petitioner would submit the petitioner is nothing to do with the alleged offence and he is law abiding citizen and he had not committed any such offence as alleged by the prosecution, the present complaint has been foisted.



4. The learned Government Advocate (crl.side) for the respondent submitted that in this case, totally there are six accused and the petitioner is A1. He further submitted that after completing the investigation, charge sheet has been filed.

5. Considering the facts of the case and the relationship between the parties, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Learned VII Metropolitan Magistrate Court, George Town, Chennai, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 shall report before the Investigating Officer as and when required for interrogation;

(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/-

11/05/2022

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 VII METROPOLITAN MAGISTRATE,
GEORGE TOWN, CHENNAI.

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI [FOR INFORMATION]

3 THE INSPECTOR OF POLICE,
DISTRICT CRIME BRANCH,
ANTI LAND GRABBING SPECIAL CELL,
SP OFFICE BUILDING, TIRUVALLUR DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1CC to M/S M.J.JASEEM MOHAMED Advocate on payment of necessary charges SR.No.6964

CRL OP.10876/2022

Date :11/05/2022

CSK 13/05/2022