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Crl.O.P.No.12648 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 r/w 34 of IPC in Crime No.242 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and other accused persons were falsely created a fake Batta and other connected documents and impersonating that they are the owners of the land, executed a sale deed in favour of the defacto complainant thereby, they cheated Rs.61 Lakhs from the defacto complainant. Hence this complaint.

3. The learned counsel for the petitioner submitted that the petitioner is no way connected with the said offence as alleged by the prosecution and he has been falsely implicated in this case. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor submitted that the



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petitioner along with other accused persons fabricated fake documents in order to sell the said land and cheated the defacto complainant. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is pertinent to note that an order dated 10.06.2022, this Court directed both the parties to appear before the Mediation Centre on 13.06.2022 without fail. Today, the learned counsel for the petitioner submitted that the matter has been amicably settled before the Mediation Centre.

6. In view of the amicable settlement arrived between the parties before the Mediation Centre, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days



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from the date on which the order copy made ready, before the learned Metropolitan Magistrate for Exclusive Trial of CCB Cases (Relating to cheating cases in Chennai) and CBCID, Metro cases, Egmore, Chennai, 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, failing which, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

18.07.2022

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