



defacto complainant only asked the petitioner to be one of the witnesses to the document since they are friends and as such the petitioner stood as one of the witnesses. Therefore, he prays to grant anticipatory bail to the petitioner.

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4. The learned Government Advocate(crl.side) would submit that A1 and A2 sold the Government land to the defacto complainant and as sale consideration, she paid Rs.8,00,000/- by way of cash and Rs.2,50,000/- by way of cheque and sale deed was executed, wherein the petitioner/A3 stood as one of the witnesses. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. There are totally four accused, in which the petitioner is arrayed as A3. Even according to the case of the prosecution, the defacto complainant approached A1 and A2 to purchase the subject property. Utilising the said circumstances, A1 and A2 sold out the land belongs to the Government to the defacto complainant for the total sale consideration of Rs.10,50,000/-. While execution of sale deed, the defacto complainant called the petitioner and asked him to be one of the witnesses, since he is the friend of the defacto complainant. As far as the petitioner is concerned, he stood as a witness and the sale deed was executed by A1 and A2 in favour of the defacto complainant and he has nothing to do with the crime as alleged by the prosecution. Therefore, 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 days from the date on which the order copy made ready, before the learned Judicial Magistrate-II, Alandur, 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.



[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.

-sd/-

10/06/2022

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, ALANDUR, CHENNAI.

2 THE CHIEF JUDICIAL MAGISTRATE
CHENGALPATTU. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
NEELANKARAI POLICE STATION,
CHENNAI.

+1 CC to M/S. G.MOHAMMED ASEEF Advocate on payment of necessary charges SR.NO.8877

CRL OP.12956/2022

Date :10/06/2022

TA-14/06/2022