



CrI.O.P.No.17642 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120B, 466, 468, 471 and 420 of IPC, in Crime No.32 of 2021, seek anticipatory bail.

2. The case of the prosecution is that defacto complainant is a Tahsildar. It is alleged that the petitioners herein had obtained forged legal heir certificates and tried to grab the land of one Ranjithkumar. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners herein obtained forged legal heir certificates and executed



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documents and tried to grab the land of one Ranjithkumar. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. It is seen that the defacto complainant is claiming to be one of the legal heirs through the second wife of the first petitioner's father. In respect of the property, already a suit is pending between them.

6. Considering the above facts and circumstances, the custodial interrogation of the petitioners does not require in this case. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Special Court for exclusive trial of Land Grabbing cases, Coimbatore, on condition that each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand



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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 petitioners 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 second petitioner alone shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation. The first and third petitioners shall report before the respondent police as and when required for interrogation.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]**.



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

28.07.2022

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