



WEB COPY



Crl.O.P.No.17944 of 2022

Crl.O.P.No.17944 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 419, 420, 465, 468 of IPC in Crime No. 135 of 2019, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner was working as a real estate broker from the year 2016. In the year 2018, the petitioner has shown few lands to the defacto complainant. After verification of the title documents, the defacto complainant had purchased the property from a vendor. Thereafter, the defacto complainant paid the brokerage charges to the petitioner. The whole transaction was completed in the year 2018 itself. The defacto complainant had lodged a complaint for cheating with double documents.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the defacto complainant had availed personal loan for purchasing the property. The property was properly verified by the bank legal team and the loan was



Crl.O.P.No.17944 of 2022

granted to the defacto complainant. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that there are totally nine accused involved in this case, in which the petitioner is arrayed as A7. A1 impersonated the defacto complainant and executed the sale deed. The crime of the year is 2019. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case, the crime of the year is 2019, 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 is made ready, before the learned CCB Court, Egmore, 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:



Crl.O.P.No.17944 of 2022

[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 four 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.

02.08.2022

Lpp

G.K.ILANTHIRAIYAN, J.



WEB COPY



CrI.O.P.No.17944 of 2022

Lpp

CrI.O.P.No. 17944 of 2022

02.08.2022