



Crl.O.P.No.18700 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 465, 468, 471 and 420 IPC, in Crime No.64 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the property, belonging to M/S VGP Housing Pvt. Ltd., which was fraudulently executed vide sale deed by Amaladas Rajesh in favour of one Rabi Naves Pio, the Director, represented on behalf of M/S AR Aggregates Pvt. Ltd., vide Document No.4321 of 2021 dated 28.06.2017 in the office of Sub-Registrar, Neelangarai, Chennai. The said sale deed executed property situated in a survey No.2/2B1 and 3/2B1 New Survey Nos.2/293 A2 and 28/92 A2 in plot No.11 to 18 measuring an extent of 36000 sq. ft in Uthadi Village, Sholinganallur Taluk, Kancheepuram District. Hence, the complaint.

3. The learned counsel for the petitioner submitted that though the petitioner is one of the Director in M/S AR Aggregates Pvt. Ltd., she is



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not involved in day to day activities of the company. He further submitted that she has been falsely implicated in this case and she never indulged in any act against law. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) submitted that the petitioner, along with other accused, had fraudulently executed sale deed and cheated the defacto complainant. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. It is seen that there are five accused in this case in which, the petitioner is arrayed as A2. She is one of the Director of M/S AR Aggregates Pvt. Ltd. Even according to the case of the prosecution, the first accused cheated the defacto complainant/M/S VGP Housing Pvt. Ltd., by executing a sale deed in favour of M/S ARR Aggregates Pvt. Ltd., as if he is the owner of the property situated in a Survey No.2/2B1 an 3/2B1 New Survey Nos.2/293 A2 and 28/92 A2 in Plot No.11 to 18 admeasuring a extent of 36000 sq. ft in Uthadi Village Shozhinganallur Taluk, Kancheepuram District.



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6. In fact, the defacto complainant also filed a suit, challenging the sale deed executed in favour of the petitioner's/Company in O.S.No.230 of 2019, on the file of the District Munsif cum Judicial Magistrate, Alandur, Chennai and it is pending. After filing of the suit, the present complaint has been lodged. In fact, the petitioner purchased the said property on 28.06.2017. It is also seen that the petitioner is also one of the Director of the defacto complainant's company and there was dispute between the Directors. Therefore, custodial interrogation of the petitioner is not required in this case.

7. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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



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Judicial Magistrate -I, 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 appear before the respondent police 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



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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.

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