



CrI.O.P.No.20096 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 465, 467, 468 and 420 IPC in Crime No.1271 of 2020, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had purchased a vacant land of 1400 Sq.ft from one Settu/3rd accused by way of registered sale deed vide Doc.No.4817 of 2018. subsequently, the petitioners sold the above said property to the defacto complainant by executing a sale deed in favour of the defacto complainant vide Sale Deed dated 27.05.2020 registered in Doc.No.2711 of 2020 for total sale consideration of Rs.39,20,000/-. After purchasing the said property, the defacto complainant approached the VAO to assign patta in his name. At that time, the defacto complainant came to know that the petitioners by suppressing the land acquisition proceedings pending in the above said property. Hence, the complaint.



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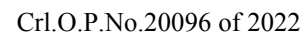
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3. The learned counsel for the petitioners would submit that the petitioners are innocents, they have nothing to do with the offence as alleged by the prosecution. Therefore, he prays for grant of anticipatory bail for the petitioners.

4. The learned Additional Public Prosecutor would submit that there are totally three accused in this case in which, the petitioners are arrayed as A1 and A2, they misrepresented as owner of the said property and executed sale deed in favour of the defacto complainant and cheated him. Therefore, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. 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



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

[d] the petitioners shall not abscond either during investigation or trial.



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[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]**.

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

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