



Crl.O.P.No.27717 of 2022

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A.D.JAGADISH CHANDIRA,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 419, 420, 465, 467, 468, 471 of IPC of IPC in Crime No. 25 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant named Perumal S/oChinnappa is that he is the owner of 66 cents situated at New No.4, Nellikuppam Village and purchased the same from one P.S.Kandhamaniammal and he was in possession. While his original documents were lost, one Perumal S/o G.Gengan/A1 had obtained patta in his favour and sold the property to A2. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner had purchased a disputed property from A1 vide Doc.No.5001 of 2022. He would also submit that he had paid total amount of Rs.11,05,500/- by way of four Demand Drafts. He would further submit that the petitioner is an innocent person engaging in a real estate business. Hence, he prays to grant anticipatory bail to the



petitioner.

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4. The learned Government Advocate (Crl.side) appearing for the respondent police submitted that the petitioner colluded with the main accused/A1 and purchased the defacto complainant's property. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the facts and circumstances of the case and the submissions made by the learned counsel, 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, Chengalpattu** on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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:

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[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 everyday at 10.30am., for a period of four weeks and thereafter, every Saturday at 10.30am., until further orders.

[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]**.

A.D.JAGADISH CHANDIRA,J.

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

14.11.2022

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