WEB COPY

Crl.O.P.No.31057 of 2022

T.V.THAMILSELVI, J.

The petitioners, who apprehends arrest for the alleged offence under Sections 120(B), 419 467, 468, 471 and 474 of IPC in Cr.No.390 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners are arrayed as A1, A3 and A2 respectively. A1/Thangaraj had forged the signature of one name Mohanraj, who is the owner of the property, and obtained No Objection Certificate from the Canara Bank, Vellakoil branch. Thereafter, A1/Thangaraj, by impersonating himself as the original owner Mohanraj, prepared forged documents and registered a sale deed in Document No. 1348 of 2022 before the Sub Registrar Office, Vellakoil. In such illegal document A2 and A3 had signed witnesses. Hence, the Sub Registrar, Vellakoil has lodged a complaint and thus, the FIR came to be registered.

3.The learned counsel appearing for the petitioners would submit that both A1 and the said Mohanraj are business partners and are known to each

https://www.mhc.tn.gov.in/judis

WEB COPY

other. According to the petitioners, they are innocent persons and law abiding citizens and hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) would submit that this is the second anticipatory bail petition and it is the case of impersonation and documents were forged by these petitioners not only before the bank but also before the Sub-Registrar Office and hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, though I am not inclined to grant anticipatory bail in a case of impersonation and forgery; considering the lone fact that A3 is a female aged about 32 years and the case of the prosecution against A3 is only to the effect that she signed as a witness in the forged document, **anticipatory bail is granted only to A3.**

6.Accordingly, **the petitioner/A3 is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days**

https://www.mhc.tn.gov.in/judis

WEB COPY

from the date of receipt of a copy of this order, before the learned Judicial Magistrate, Kangeyam, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, with two blood related 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the **petitioner/A3 shall report 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 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

https://www.mhc.tn.gov.in/judis

WEB COPY

T.V.THAMILSELVI, J.

vsn

the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560];*** and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

7.This petition stands dismissed as against A1 and A2 viz., Petitioners 1 and 3 herein.

21.12.2022

vsn

To
The Judicial Magistrate, Kangeyam**.**

Crl.O.P.No.31057 of 2022

https://www.mhc.tn.gov.in/judis