

**Crl.O.P.No.32514 of 2022****A.A.NAKKIRAN, J.**

The petitioner who apprehends arrest for the alleged offence under Sections 419, 465, 467, 468, 471 r/w 120(B) of IPC in Cr.No.137 of 2018, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the accused have created forged power of attorney and created sale deed and mortgaged the property of the defacto complainant.

3.The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

4.The learned Government Advocate (Crl.Side) submitted that petitioner is A13. Petitioner and other co-accused created forged and fabricated documents and committed crime. He further submitted that A1, A3, A4, A6, A7 are arrested and released on bail. A2, A9, A10 and A15 are released on anticipatory bail. A11, A12 and A15 are absconding. However, he vehemently opposed to grant anticipatory bail to the petitioner.



5.Considering facts and circumstances of the case the co-accused were arrested and released on bail, I am inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned *Metropolitan Magistrate for the Exclusive Trial of CCB Cases (relating to cheating cases in Chennai) and CBCID Metro Cases, Egmore, Chennai*, 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 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 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]***; and;

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

28.12.2022

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