



Crl.OP.No.821 of 2023

T.V.THAMILSELVI,J.

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The petitioner who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 465, 467, 468, 471, 420, 120B and 506(i) of IPC in Crime No.280 of 2022, seeks anticipatory bail.

2. The case of prosecution is that the 1st accused created fraudulent document of the defacto complainant's property and executed the settlement deed in favour of the 2nd accused. Further the defacto complainant while trying to sell the property, he came to know that the documents were created fraudulently. Hence, the defacto complainant lodged a complaint before the respondent police.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is no way connected with the alleged offences and ready to abide any conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) submits that the 1st accused created fraudulent document of the defacto complainant's property and executed the settlement deed in favour of the 2nd accused. He further submitted that based on the direction of this Court, the District Registrar, conducted an enquiry and filed a status report with regard to the cancellation of the settlement deed. However, he raised an objection to grant anticipatory bail to the petitioner.

5. On a perusal of the status report filed by the Sub Registrar, it reveals that all the documents were forged and the same were also cancelled by invoking the Section 77 A read with Section 22 A and Section 22B of the Registration Act.

6. Considering the facts and circumstances of the case that the investigation is almost completed and the forged document was also cancelled by invoking Section 77 A read with Section 22 A and Section 22B of the Registration Act, this Court is inclined to grant anticipatory bail to the petitioner.



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance before the learned **Judicial Magistrate Alandur, Chennai** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** with two sureties (out of which one surety should be a blood surety)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 is directed to 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.



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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.

28.02.2023

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