



Crl.O.P.No.898 of 2023

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest at the hands of the respondent Police for the offences punishable under Section 120B, 420, 465, 467, 468, 471, 506(i) and 34 of IPC in Crime No.3 of 2023, seeks anticipatory bail.

2. The case of prosecution is that the defacto complainant and his family members jointly purchased a flat property in the year 1981 in Survey No.3/2B1, through sale deed Doc No.1800, 1789 & 1801 of 1981 on 02.07.1981, registered before Saidapet, Sub Registrar Office and enjoying possession over the property. Later on, it was found that the petitioner and his family members name are found through encumbrance certificate. Further it was found that, Kanniyappan (A1) has created a forged document and purchased the property from the defacto complainant and executed a settlement Doc.No.2734 of 2017 in favour of the Murugadoss (A2), registered before the Joint II Sub Registrar,



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Kancheepuram. Through, the Settlement Deed, further registered a Doc.No.19/1993 & 27/1993 which is not the defacto complainant's property. On 28.01.2020 the defacto complainant questioned about the act of the petitioner, he was abused by the petitioner and threatened with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and he has nothing to do with the alleged offences and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted Kanniyappan (A1) has created a forged document and purchased the property from the defacto complainant and executed a settlement Doc.No.2734 of 2017 in favour of the Murugadoss (A2), registered before the Joint II Sub Registrar, Kancheepuram. Through, the Settlement Deed, further registered a Doc.No.19/1993 & 27/1993 which is not the defacto complainant's property. On 28.01.2020



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the defacto complainant questioned about the act of the petitioner, he was abused by the petitioner and threatened with dire consequences. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the investigation is almost completed, 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, Alanduron** 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 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:



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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 on every Tuesday at 10.30 A.M., for a period of eight weeks.

[c] the petitioner is directed to deposit a sum of Rs.7,00,000/- (Rupees Seven Lakhs Only) without prejudice to his rights to the credit of Crime No.3 of 2023 within a period of two weeks from the date of receipt of copy of this order before the concerned Magistrate.

[d]the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] on breach of any of the aforesaid conditions, the



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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;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

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