



CrI.O.P.No.904 of 2023

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offence under Section 120(B), 466, 468, 471, 474, 294(B), 506(i) of IPC in Cr.No.14 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the 1st petitioner is the cousin sister of the defacto complainant. Their grand father owned some lands at Kaniyampoondi village, Avinashi Taluk, to which the defacto complainant and his siblings are entitled to share. However, the defacto complainant came to know that his cousin sister, 1st petitioner herein, had fabricated and forged various documents and had be gotten the entire land in her favour. She had also, by using such forged document, executed a settlement deed on 19.01.2021 in favour of the 2nd petitioner herein. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution



and they have been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) would submit that the defacto complainant and the accused are closely related. The allegation is that the accused fabricated false document and executed a settlement deed on 19.01.2021.. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the fact the defacto complainant is the cousin brother of the 1st petitioner, and the submission of the the learned counsel for the petitioners that they are falsely implicated in this case and even otherwise they have cancelled the settlement deed on 11.10.2022 which is a subject issue in this FIR. The learned Government Advocate raised objection stating that by giving the false information, the sister of the defacto complainant exclusively grabbed the entire property belonging to the mother ignoring the share of the defacto complainant and executed the settlement deed in favour of one Dhanapal. On considering the fact that the alleged settlement deed, which was executed without knowledge of the defacto complainant on



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19.01.2021, was cancelled by both the settler and settle (i.e.) these petitioners, on 11.12.2022, a copy of the document is also furnished before this Court, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are 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 **Land Grab Court (in-charge Additional Mahila Court), Tiruppur** condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, 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 petitioners 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 first petitioner shall report before the respondent police on every Saturday at 10.30 a.m for a period of four weeks and thereafter, as and when required for interrogation;**

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(c) the second petitioner shall report before the respondent police on every Saturday at 10.30 a.m for a period of six weeks and thereafter, as and when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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]*; and;

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

12.01.2023

vsn

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