

CrI.O.P.No.4613 of 2023

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T.V.THAMILSELVI, J.

The petitioners who apprehends arrest for the alleged offence under Section 420 of IPC altered into 120(b), 167, 419, 420, 465, 468, 471 of IPC in Cr.No.01 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that A2 and A3 had sold a property which belongs to one Chennaiyanaichar / defacto complainant's grandfather to A1. Hence, the present FIR was registered against A1 to A3 in crime no.1 of 2023 under Section 420 of IPC. Further the said case has been altered and some of the accused persons were implicated in the present F.I.R. alleging that the first petitioner herein attested the copy of the revenue records as a notary sign for registration and the sale deed for the above said property was drafted and certified by the second petitioner. Hence the complaint.

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



He further submitted that a suit in O.S.No.146 of 2021 on the file of Sub Court Uthangarai is pending against the defacto complainant and A1 was also arrested and released on bail. Learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl side) submits that a civil suit is pending between the parties. He vehemently oppose for granting anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that there is a civil dispute pending between the parties, 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 Special ***Judicial Magistrate (Land grabbing Court), (FAC), Krishnagiri***, on 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 petitioners shall report before the respondent police every Saturday at 05.30 p.m. for a period of four weeks;

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

(d) the petitioners 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 petitioners in accordance with law as if the conditions have been imposed



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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;

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

02.03.2023

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