



Crl.O.P.No.6383 of 2023

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A.D.JAGADISH CHANDIRA, J.,

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 120B, 466, 468, 471, 474, 294(b), 506(i) of IPC in Crime No.14 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Ponnusamy is that the defacto complainant and the accused are close relatives. 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 the accused had fabricated and forged various documents with the help of A4, who is the petitioner herein and grabbed the entire land. Hence the complaint.

3. The learned Counsel for the petitioner would submit that the



Crl.O.P.No.6383 of 2023

petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is a document writer and based on the information furnished by the other accused, he has prepared the document for registration. Other than this, he is nothing to do with the allegation leveled against him. He is neither a beneficiary nor the conspirator in the crime leveled against him. He would also submit that the petitioner is ready and willing to furnish solvent sureties and to abide by any stringent condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that the defacto complainant and the accused are close relatives. 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 petitioner.



Crl.O.P.No.6383 of 2023

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5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and also the submissions of either sides and also considering the fact this Court had already been granted anticipatory bail to the co-accused, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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 Land Grab Court (in charge additional Mahila Court) at Triuppur District** 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, failing which, the petition for anticipatory bail shall stand



Crl.O.P.No.6383 of 2023

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 shall report before the respondent police every Saturday 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



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Crl.O.P.No.6383 of 2023

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.

10.04.2023

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Crl.O.P.No.6383 of 2023

mfa

Crl.O.P.No.6383 of 2023

10.04.2023