



Crl.OP.No.12514 of 2023

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A.D.JAGADISH CHANDIRA, J.

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The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 471, 473, 476 and 384 of IPC in Crime No.67 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner along with another accused had illegally making seal of the Special Officer and signed in the land approval for the several buildings to some real estate owners and the petitioner has got lakhs of amount and illegally fabricated the seal of the Special Officer for land approval to the real estate persons in Kondaepalayam Taluk. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent. He further submit that the petitioner is an RTI Activist and he has filed several complaints as against the misdeeds of the Government officials and antagonised by the same, they have given false complaint against him. He would further submit that similar complaint was given before the Kovilampalayam Police Station and as case in Cr.No.130 of



2023 was registered against him for the similar offence and the petitioner has approached this Court in Crl.OP.No.12513 of 2023 and this Court granted bail to him. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the petitioner has got previous cases similar in nature. Hence, he would vehemently oppose to grant anticipatory bail to the petitioner.

5. In reply, the learned counsel for the petitioner would submit that from a reading of the F.I.R would go to show that the petitioner has filed petitions under RTI Act as against the Government officials. Hence, a false case has been registered as against the petitioner.

6. Heard both sides and perused the materials available on records including the FIR.



7. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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 No.II, Pollachi** 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 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/trial Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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[b] the petitioner shall report before the respondent
Police every day at 6.30 p.m., until further orders.

[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] 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, 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 petitioner herein thereafter absconds, a fresh
FIR can be registered under Section 229-A IPC.

12.06.2023

Vv



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