



Crl.O.P.No.13174 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 420, 423, 468, 471 and 120(B) IPC in Crime No.2 of 2023, seeks anticipatory bail.

2. The petitioner herein has been arrayed as A4 in this case.

The case of the prosecution is that the complaint given by the defacto complainant is that the defacto complainant claims that the property in Survey No.804 at Chettypalayam Village, Madukkarai Taluk at Coimbatore District was originally owned by Krishnasamy to whom the defacto complainant was a legal heir. But the first accused, whose father's name is also Krishnasamy had however created forged documents with respect to that particular property and thereafter, on the basis of that particular title which had been so created had sold the property to the petitioner herein.



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3. The learned counsel for the petitioner contended that the petitioner is an innocent person and he has been falsely implicated in this case. He also contended that A1 had been taken into custody and had been subsequently released on bail. Hence, he prays for grant of anticipatory bail.

4. It is stated by the learned Government Advocate (Criminal Side) that the investigation has been completed and the charge sheet will be filed very shortly before the Judicial Magistrate.

5. In view of these facts, this Court is inclined to grant anticipatory bail to the petitioner herein with certain conditions. 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 Judicial Magistrate No.VI, Coimbatore**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties



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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 may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall appear before the respondent police daily at 10.30 a.m., till the filing of charge sheet and thereafter, as directed by the concerned jurisdictional Court.

[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.



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[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 in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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