



Crl.O.P.No.17028 of 2023

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and

Crl.M.P.No.12282 of 2023

RMT.TEEKAA RAMAN, J.

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 420, 406 and 506(I) of I.P.C, in Crime No.888 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners herein have executed sale deed in favour of de-facto complainant and they received the entire sale consideration. Further, when the petitioners cleaning the property one Thennarasu claiming the ownership of the property and the complainant approached the petitioners for the said issue. For which, the petitioners threatened with dire consequence. Hence the case.

3. The learned counsel for the petitioners would submit that the petitioners are an innocent persons and they have been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) for the



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respondent would submit that by earlier order dated 16.08.2023, this Court directed the parties to appear before the Mediation and the same was failed. However, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the intervenor and he vehemently opposed to grant anticipatory bail to the petitioners.

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

7. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioners.

7. Accordingly, **petitioners are directed to deposit a sum of Rs.36,00,000/- (Rupees Thirty Six lakhs only) to the credit of Crime No.888 of 2022, before the concerned Magistrate within a period of eight weeks, failing which, the anticipatory bail shall stand dismissed**, 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 on which the order copy made ready, before the **learned District**



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Munsif-cum-Judicial Magistrate, Madhavaram, on condition that the petitioner shall execute a separate 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 petitioners 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 petitioners are directed to deposit a sum of Rs.36,00,000/- (Rupees Thirty Six lakhs only) to the credit of Crime No.888 of 2022, before the concerned Magistrate within a period of eight weeks, failing which, the anticipatory bail shall stand dismissed;**

[c] **the petitioners shall report before the respondent Police, on every Wednesday and Saturday at 10.30 a.m., until further orders;**

[d] the petitioners shall not tamper with evidence



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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]**.

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

[h] Consequently, connected Crl.M.P is closed.

27.09.2023

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