

Crl.O.P.No.20163 of 2023**RMT.TEEKAA RAMAN, J.**

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The petitioner/A3, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 465, 468, 471, 420, 406 and 34 of I.P.C, in Crime No.125 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner is a Doctor she had given a "Life Certificate for registration of document based on the power of attorney for the principal Mr.V.Manoharan, S/o.Veerapathiran. The certificate was issued by A1 to execute a sale deed registered as Doc.No.36 of 2015 on 07.01.2015 before the Sub-Registrar, Poonamallee and in favour of A2 and the de-facto complainant lodged a complaint against A1 and A3 . Hence the case.

3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that the life certificate said to have been issued by A3 for the registration of the sale deed dated 07.01.2015 is a forged one. Hence, he opposed for grant of anticipatory bail to the petitioner.



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

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6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, the de-facto complainant namely Manoharan who is the son of Veerapathiran alleged that the life certificate said to have been issued by A3 for the registration of the sale deed dated 07.01.2015 is a forged one. The said Veerapathiran had executed the joint vendor agreement in favour of A1 for the promotion of flow at the ratio of 50:50 and based upon the General Power of Attorney, A1 has registered the sale deed in favour of A2, wherein they have produced the life certificate of the said person and thereafter, they raised a funds and also sold the property. It is now alleged that, the life certificate issued by A3 (daughter of A2) has forged one and father of the de-facto complainant had not signed the same. The learned counsel for the petitioner produced a sale deed dated 01.11.2017 executed by A2 in favour of Divya who is none other than the legal heir of one Manoharan. On the above factual ground, this Court is inclined to grant anticipatory bail to the petitioner.



7. Accordingly, the petitioner is 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 Judicial Magistrate-I, Poonamallee**, on condition that the petitioners 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 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, weekly twice at 10.30 a.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.



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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 abscond, a fresh FIR can be registered under Section 229A IPC.

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