

Crl.O.P.No.25893 of 2022

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest for the alleged offences under Sections 420 r/w 34 of IPC in Crime No.4 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners had registered fake documents to grab the land belongings to the defacto complainant. Hence, the complaint.

3.Heard both sides.

4.This Court by an order dated 16.02.2023 directed the parties to appear before the Sub Registrar, Kancheepuram with regard to fake power of attorney. As per the order of this Court, both the parties are appeared before the Sub Registrar, Kancheepuram and the enquiry was conducted on 28.02.2023 and stated that based on the cancellation of power of attorney Mr.Purusothaman has executed a sale deed and including the defacto complainant's share is a void. However, the District Registrar alone having



power to cancel the documents. Therefore, the District Registrar, Kancheepuram is directed to conduct the enquiry with regard to fake documents in connection with Crime No.4 of 2022 as per the manner known to law under Section 77 A of the Registration's Act.

6. In view of the above, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned *Judicial Magistrate – I, Kancheepuram, for exclusive trial of DCB, Kanchipuram* on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each** 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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(b)the petitioners shall report before the respondent police as and when required for interrogation;

(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on anticipatory 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]*; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

02.03.2023*dk*

To
The Judicial Magistrate - I,
for exclusive trial of DCB,
Kanchipuram P.S,
Kanchipuram.

T.V.THAMILSELVI, J.*dk*



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