



Crl.O.P.No.25850 of 2022

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 406 and 420 of IPC in Crime No.150 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant purchased the property from one Umayal Ramanathan for an alleged sale consideration of Rs.8,40,00,000/-. Initially, he entered into a sale agreement with A-1/Chinnaiya Ambalam. Subsequently, sale deed was executed by Umayal Ramanathan for the amount of Rs.5,50,00,000/-. Further it was alleged that the said Umayal Ramanathan had sold the property by stating that the original documents were lost. Further, it was alleged that the petitioner was a Managing Trustee of the Alagappa Trust and the petitioner was present when there was alleged discussion between the defacto complainant and the said Umayal Ramanathan. Subsequently, the defacto complainant found that there is a civil litigation pending on the suit property which allegedly ended



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against the seller Umayal Ramanathan. Hence the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the petitioner was neither recipient of any money from the defacto complainant even as per the complaint, nor the petitioner was a party to any of the transaction. He further submits that the petitioner did not involve in the discussion of the sale agreement with A1/Chinnaiya Ambalam, the power agent of the said Umayal Ramanathan and he is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that there are totally five accused in this case and the petitioner herein is arrayed as A5. He further submits that there is a civil dispute between the petitioner and the defacto complainant with regard to money transaction in the sale deed. He further submits that the investigation



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is still pending. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. The learned counsel for the defacto complainant/intervenor raised an objection stating that there was a civil dispute between the petitioner and the Umayal Ramanathan with regard to execution of sale agreement in O.S.No.147 of 2014.

6. Taking into consideration the facts and the submissions made by both the counsels and also the fact that the investigation is pending, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Metropolitan Magistrate, Special Court for CCB and CBCID Case, Egmore, Chennai***, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties and one surety must be a



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blood surety, 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 petitioner is directed to deposit a sum of **Rs.2,00,000/- (Rupees Two Lakhs only)** to the credit of Crime No.150 of 2022, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below;

[b]the petitioner 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;

[c] the petitioner shall report before the respondent police on every Tuesday and Saturday at 10.30 a.m., until further orders;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner 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 petitioner in accordance with law as if the conditions has been imposed and the petitioner is released on



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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;

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