



Crl.O.P.No.21438 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 465, 467, 468, 471 and 420 of IPC in Crime No.127 of 2023, seeks anticipatory bail.

2.It is stated that the 1st petitioner was the owner of the land in S.No.80/2A3, New Survey No.80/2A3B measuring 2520 sq.ft., at Supallipattu Village, Kandili Panchayat Union, Thirupattur Sub-Division, Thirupattur Taluk, Vellore District. The defacto complainant had purchased the land from the 1st petitioner. It was also registered as Document No.419/2010. It was informed that a part of the land measuring 1302 sq.ft., had already been sold to one Sasikumar/A2 and that he is doing agriculture and therefore, patta was not given. The defacto complainant had given a complaint to the Superintendent of Police, Land Grabbing Special Cell at Vellore.



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3.The learned counsel for the petitioners stated that the 1st petitioner had borrowed a sum of Rs.1,50,000/- for medical expense and had given a power of attorney in the name of the wife of the defacto complainant. Thereafter, the property had been sold, since there was no right, title or interest over the lands.

4.Taking into consideration the fact and circumstances of the case and also the fact that the complaint was lodged after nearly two years and further taking into consideration the age of the 1st petitioner, this Court is inclined to grant anticipatory bail to the petitioners herein with certain conditions.

5. Accordingly, 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 Judicial Magistrate - II, Thirupathur, on condition that each of 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 1st petitioner shall report before the respondent police as and when required for interrogation and the 2nd petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter 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 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]**.



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

09.10.2023

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