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Crl.O.P.No.22230 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners herein seek anticipatory bail in Crime No.8 of 2020 registered by the respondent Police for the offence under Sections 120B, 465, 468, 471 and 420 IPC.

2. The learned counsel for the petitioners stated that, they have been falsely implicated as accused in this case. They have not committed any offence as alleged by the respondent police. Thus, he seeks bail to the petitioner.

3. The learned Government Advocate (Criminal side) states that, defacto complainant is one among the five brothers. All of them had properties in their hands. There was a dispute with respect to the division of property and Suits were also filed. In the meanwhile, three of the brothers died and legal heirs have stepped in. It is contended that the petitioners herein had acted as Power of Attorney agents and sold the property. A complaint was given stating that the properties which were meant to be



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allotted, have been sold and first information report was also filed. Thus, he prays for dismissal of this petition.

4. The entire issue requires investigation. At the same time, it should be also be balanced with the fact that the legal heirs have now come into the picture, after the death of their respective fathers and one of the brother have given a complaint, after the death of three of the other brothers. In view of these facts, I am inclined to grant bail to the petitioners on condition that, they must co-operate during the course of investigation and if they do not co-operate, respondent is at liberty to seek cancellation of this Order.

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-V, Vellore**, 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



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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 shall report before the respondent Police, daily at 10.30 a.m., until further orders and ensure that the investigation is completed.

[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;

11.10.2023

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