



Crl.O.P.No.22527 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 420, 465, 467, 468, 471, 447, 143 and r/w 120(B) of I.P.C, in Crime No.209 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant had stated that the petitioner and the other accused had attempted to grab land and created fraudulent document and they are trying to sell the same for heavy profit. It is stated that the sale deed had also been executed. Further, the co-accused gave confession statement and some arrested accused gave confession statement before the respondent stating that the property was sold to some third party. Out of the sale consideration the amount was divided to the petitioner and the other accused. Hence the case.

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



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4. The learned Government Advocate (Criminal Side) for the respondent would submit that petitioner and the other accused had attempted to grab land and created fraudulent document and they are trying to sell the same for heavy profit. However, he opposed for grant of anticipatory bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, the sale deed had also been executed in one of the condition in which, the learned Principal Sessions Judge, Court of Sessions at Chennai had granted bail to the first accused in Crl.M.P.No.23893 of 2023 dated 22.09.2023 was that the sale deed which was executed should be cancelled. In view of that particular fact, 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 his appearance, within a period of fifteen days



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from the date on which the order copy made ready, before the **CCB&CBCID Special Court, Egmore** on condition that 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 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, on everyday at 10 30a.m., for a period of two weeks and thereafter as and when required for interrogation;

[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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