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Crl.O.P.No.30756 of 2022

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence punishable under Sections 420, 465, 467, 468, 471 of IPC read with Section 120(B) of IPC in Crime No.206 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that 16 plots comprised in Survey No.358 at Sholinganallur Phase II, which are the properties belonging to the Tamilnadu Housing Board were sold to different persons in unauthorized manner without obtaining necessary permission/approval from the concerned authorities of Tamilnadu Housing Board and CMDA by forging the signature of some officials in the Sale Deeds executed in the office of Neelangarai Sub-Registrar Office. The petitioner herein is arrayed as A4 in this case. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the



prosecution. He further submits that the petitioner entered into Government service as Surveyor on 18.04.2018 and has been put in additional charge/works as “Nodal Officer” and on instructions, he further submits that the petitioner, without prejudice to his rights, is ready to abide any condition imposed by this Honourable court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submitted that 16 plots comprised in Survey No.358 at Sholinganallur Phase II, which are the properties belonging to the Tamilnadu Housing Board were sold to different persons in unauthorized manner without obtaining necessary permission/approval from the concerned authorities of Tamilnadu Housing Board and CMDA by forging the signature of some officials in the Sale Deeds executed in the office of Neelangarai Sub-Registrar Office and the petitioner herein is arrayed as A4 in this case. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case, the



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petitioner is in government service from 18.04.2018 and there is no possibility of abscondance and investigation is almost completed this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the **learned Judicial Magistrate No.I, Alandur, Chennai** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** with two sureties (out of which one surety should be 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, 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.



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[b] the petitioner is directed to appear before the respondent police on every Saturday at 10.30 a.m., for a period of three months.

[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.

[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 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]**

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

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