



CrI.O.P.No.31455 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 420 & 120B IPC, in Crime No.59 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the dispute is between the petitioner and the defacto complainant regarding the identification of the properties. 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 and he has been falsely implicated in this case. He would further submit that without prejudice, the petitioner is prepared to deposit Rs.5,00,000/- to the credit of Crime No.59 of 2022. He prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) submits that the dispute is between the petitioner and the defacto complainant regarding the identification of the properties. However, he opposed for grant of anticipatory bail to the petitioner.

5. The learned counsel for the Intervenor raised his objection stating that the property sold to him by the petitioner was not belong to them and the survey number in which the alleged property said to be located is only a road and not a property.

6. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.Side), this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner 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 of receipt of a copy of this order, before the learned ***Judicial Magistrate No.I, Alandur, Chennai***, on condition that the petitioner shall



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execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)**, with two sureties (out of which one shall be a blood relative 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 is directed to deposit a sum of **Rs.5,00,000/- (Rupees Five Lakhs Only)** without prejudice to his defence before the trial Court to the credit of the Crime No.59 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 every Wednesday at 10.30 a.m. for a period of eight weeks and thereafter as and when required for interrogation;



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(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 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]***; and;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

23.01.2023

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