



Crl.O.P.No.31892 of 2022

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T.V.THAMILSELVI, J.

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

2. The case of the prosecution is that the dispute is between the petitioners and the defacto complainant regarding the identification of the properties in Survey Nos.60/16A2, 17B, 19-B & 58/21 & 58/23. Hence the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are also the innocent purchasers cheated by A1, who had suppressed the fact that the alleged property was in dispute. He would further submit that without prejudice, the petitioners are prepared to deposit Rs.5,00,000/- each to the credit of Crime No.59 of 2022. He prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (CrI.Side) submits that the dispute is between the petitioners and the defacto complainant regarding the identification of the properties in Survey Nos.60/16A2, 17B, 19-B & 58/21 & 58/23. However, he opposed for grant of anticipatory bail to the petitioners.

5. The learned counsel for the Intervenor raised his objection stating that the property sold to him by the petitioners 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 (CrI.Side), this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the



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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 petitioners shall execute a separate 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 petitioners are directed to deposit a sum of **Rs.5,00,000/- (Rupees Five Lakhs Only)** each without prejudice to their defense 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 petitioners 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;



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(c)the 1st 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. The 2nd petitioner shall report before the respondent police every Wednesday at 10.30 a.m. for a period of three weeks and thereafter as and when required for interrogation;

(d)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners 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 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]***; and;

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

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