



Crl.O.P.No.26525 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/third accused who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 420, 465, 467, 468, 471 and 34 of IPC in Crime No.109 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant had stated that the first accused had obtained forged legal heir certificates and executed a sale deed in favour of the second accused which was registered as Document No. 17784 of 2019 dated 16.12.2019 by the Sub Registrar, Avadi. The petitioner was witness to the said document.

3. It is stated that the investigation has been practically completed.

4. In view of that particular fact, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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 from the date on which the order copy made ready, before the Judicial



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Magistrate No.1, Poonamallee, on condition that the petitioner shall execute a 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 daily at 10.30 a.m., for a period of two weeks and thereafter as and when required.

[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



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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 absconds, a fresh FIR can be registered under Section 229A IPC.

14.12.2023

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