



Crl.O.P.No.26841 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner/A1 in Crime No.29 of 2023 registered by the respondent for the offences under Sections 120B, 465, 468, 471 and 420 IPC seeks anticipatory bail.

2. The case of the prosecution is that the Petitioner is one of five brothers and sisters and the defacto complainant is one of another sister, who is settled in America. A property was allotted to her by way of partition deed and it was managed by the Petitioner as Power of Attorney. It is stated that the Petitioner herein had executed a document of that particular property in favour of another sister of his. This led to lodging of the complaint.

3. It is now informed that the said document had been cancelled and the property had been restored to the name of the defacto complainant. Let the issues in the FIR be examined during the course of the trial and since bonafide has been executed by the Petitioner herein, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his



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appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate Court No.7, Coimbatore**, 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 for the interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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 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.

07.12.2023

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