



Crl.O.P.No.32416 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 419, 420, 465, 467, 468 471 r/w 34 of IPC, in Crime No.259 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that the accused by creating forged documents and also by impersonating the de-facto complainant, grabbed the property belongs to the de-facto complainant. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is an innocent purchaser, who purchased the property from one Murugan (A2) in the year 2011 after verifying encumbrance and by getting legal opinion. He further stated that the petitioner is no way connected with the alleged offence and



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reiterated that he is an innocent purchaser. He also stated that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) submitted that the petitioner along with the other accused by creating forged documents and by impersonating the de-facto complainant, grabbed the property belongs to the de-facto complainant. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 learned



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Land Grabbing Special Court -II, Allikulam, 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 is directed to surrender his original title deed dated 01.12.2011 before the learned Magistrate concerned by filing appropriate affidavit that he will not encumbrance over the property till the proceedings is over;

[c] the petitioner shall appear before the respondent Police, on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as

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and when required for interrogation;

[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]**;

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

09.01.2023

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