



Crl.O.P.Nos.27406, 27411 & 27413 of 2023

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C.V.KARTHIKEYAN,J.

A2 has filed Crl.O.P.No.27411 of 2023, A3 and A4 have filed Crl.O.P.No.27406 of 2023 and A6 has filed Crl.O.P.No.27413 of 2023. All these petitioners seek anticipatory bail in Crime No.9 of 2023, registered by the respondent police for the offences punishable under Sections 120B, 467, 468 & 506(i) of IPC.

2.It is the case of the prosecution that the defacto complainant and his son and his daughter had given Power of Attorney with respect to their property to A1. A1 had in turn sold the property to A2 but at that particular point of time since it was sold by a Power of Attorney agent, a Life Certificate was required and though the daughter was in abroad, a fraudulent Life Certificate was produced and on the strength of that, they sold the property in favour of A2 before the Sub Registrar. The other accused 3, 4 and 6, were also directly or indirectly connected with the execution of the said document. A5, who is not before this Court was a document writer.



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3.On an earlier occasion, the application seeking bail/anticipatory bail had been dismissed and there was a very significant change in circumstance that the accused persons have now gone over to the Sub Registrar Office and had cancelled the document namely the Sale Deed executed in favour of A2 and restored the title back to the defacto complainant.

4.In view of that particular fact, which is a very significant change in circumstance, I am inclined to grant anticipatory bail to the petitioners herein subject to the following conditions:

5.Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate No.II, Erode**, on condition that the petitioner shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties 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 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 petitioners shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

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

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court



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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.

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