



Crl.O.P.No.3317 of 2024

Crl.O.P.No.3317 of 2024

WEB COPY

C.V.KARTHIKEYAN,J.

The petitioner/A3 seeks anticipatory bail in Crime No.444 of 2022, registered under Sections 465, 468, 471, 420 of IPC.

2. The petitioner is the purchaser of the dispute property measuring about 438 sq.ft and had also built up a house. It is the A1 and A2, who had created forged documents and had sold the said property.

3. The earlier application in Crl.O.P. No.11860 of 2023 seeking Anticipatory Bail came up for consideration on 31.10.2023 and the same was dismissed. However, now an affidavit has been filed by the petitioner wherein she had stated as follows:-

“1. I am the 3rd accused herein and I have been brought to notice that the defacto complainant has made the complaint on 11.07.2022 against myself and two others that the subject disputed land in the complaint. I further submit that I had been falsely



alleged as accused in Cr.No.444 of 2022 for the alleged offences under Sections 465, 468, 471 and 420 of IPC on 11.07.2022 as per the complaint lodged by the proposed respondent/de-facto complainant B.Vallikumar for alleged land grabbing offences for the land situated at Tandurai Village, in S.No.463/8 to the extent of 60 cents, was originally purchased by one K.V.Kumaraya Chettiar through Court decree on 28.11.1942 and thereafter he died on 06.11.1942 and thereafter it was devolved upon his legal heirs Kuppusamy, Kannan, Mohan, Radhakrishnan.

2. I respectfully submit that I hereby undertake that I have furnish Original Sale deed in Doc.No.16881/2021 dated 22.11.2021 executed in my favour by the accused nos.1 & 2 before the trial court and abide by any of the stringent condition imposed by this Hon'ble Court."

4. The learned Intervenor is also present. Taking all the factors into consideration, the petitioner is ordered to be released on bail in the



WEB COPY

event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Special Court for Land Grabbing Cases (FAC), Tiruvallur, 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 also deposit the Original Sale deed in Doc. No.16881 of 2021 dated 22.11.2021 to the credit of Crime No.444 of 2022, by which the petitioner had purchased the property. The learned Judicial Magistrate, Special Court for Land Grabbing Cases (FAC), Tiruvallur, may retain the document in safe custody.



Crl.O.P.No.3317 of 2024

[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.

30.04.2024

gsa



WEB COPY



Crl.O.P.No.3317 of 2024

C.V.KARTHIKEYAN,J.

Gsa

Crl. O.P. No.3317 of 2024

30.04.2024