



Crl.O.P.No.714 of 2024

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C.V.KARTHIKEYAN, J.

The Petitioners/A4 and A5 in Crime No.274 of 2023 registered by the Respondent Police for the offences under Sections 465, 467, 468, 471 and 120B IPC read with Section 83 of Registration Act, 1908 on the basis of a complaint given by the defacto complainant, seek anticipatory bail.

2. It is stated by the learned Government Advocate (Criminal Side) that the lands at Survey No.773/2A4, Pasumpon Nagar, 1st Main Road, Kallikuppam, Chennai – 600 053 was originally classified as Punja Tarisu land. It is stated that the Accused A1 had prepared a forged Patta, giving marketable title and on the basis of such Patta, had executed a settlement deed in favour of his wife and son, who have been arrayed as the Accused A2 and A3 in this case.

3. It is also stated that the Accused A1, A2 and A3 had been arrested and the Accused A2 and A3 had been granted bail by the learned Principal Sessions Judge. It is stated that the Accused A1 is still in custody.



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4. It is the case of the prosecution that the overtact as against these Petitioners is that they had signed as witnesses in the settlement deed which was executed by the Accused A1 in favour of the Accused A2 and A3.

5. It is contended by the learned counsel for the Petitioners that the Petitioners were not aware that the Patta was a forged document. They had only identified the parties to the deed.

6. Taking all those factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioners with certain conditions. Accordingly, the Petitioners are ordered to be released on 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 CCB Court at Egmore**, on condition that the petitioners shall execute a separate 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:



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[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 daily at 10.30 a.m., until further orders.

[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 himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.



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

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