



Crl.O.P.No.2141 of 2024

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 419, 420, 465, 467, 468 and 471 of IPC, in Crime No.11 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are family members. Further, the defacto complainant was residing at Malesia, at that time, the petitioners have sold the defacto complainant's father properties without knowledge of the defacto complainant and cheated him. Hence, the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that the 1st petitioner is the mother, 2nd and 4th petitioners are the brothers of the defacto complainant, due to some family dispute, a false case has been given. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the investigation is



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almost completed. However, he vehemently opposed for grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that the investigation is almost completed and the petitioners and the defacto complainant are family members. Further, the petitioners are ready and willing to deposit some amount to the credit of crime number to show their bonafide, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are directed to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs) to the credit of Crime No.11 of 2023, within a period of two weeks from the date on which the order copy made ready, and on such deposit, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the **Judicial Magistrate Court No.1, Vellore, Vellore District**, on further condition that the each of the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two common 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 petitioners shall deposit a sum of



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Rs.3,00,000/- (Rupees Three Lakhs only) to the credit of Cr.No.11 of 2023 before the trial Court, within a period of two weeks from the date on which the order copy made ready. On such deposit, the defacto complainant is permitted to withdraw the said amount by filing necessary affidavit before the trial Court.

[b] 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.

[c] the petitioners shall report before the respondent police as and when required for interrogation.

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

[e] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the

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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]**.

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

15.07.2024

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