



Crl.O.P.No.2307 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 468, 479, 419 and 420 of I.P.C in Crime No. 104 of 2024, seeks anticipatory bail.

2. It is the case of the prosecution that the petitioner is running a shop in the disputed premises and that particular premises was owned by his mother and she had executed a document in favour of her daughter.

3. It is stated that the petitioner herein had forged a lease agreement and continued to be in possession of the subject property. This aspect can be dealt during the trial.

4. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:



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5. 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 Judicial Magistrate-II, Salem** on condition that the petitioner 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 this Court 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 appear before the respondent police daily at 10.30 a.m., until further orders.

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

[d] the petitioner shall not abscond either during investigation or trial.



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[e] 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]**.

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

07.02.2024

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