



Crl.O.P.No.2667 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/A3 seeks anticipatory bail in Crime No.2 of 2022 registered by the respondent Police for the offences punishable under Sections 409, 420, 465, 468 and 471 of IPC.

2. The defacto complainant is a Revenue Officer. He had filed a complaint after receiving a copy of the order of the High Court in WP.No.1762 of 2020 wherein a direction was issued for cancellation of patta and transfer with respect to land in Survey No.126/8, at Abaranadari village, Nagapattinam. The original owner of the property was S.Shanmuga Sundaram. A1 who incidentally is the father of this petitioner and A2 had somehow manipulated to change the entries in the revenue records and put their names as the owner of the property so far as the revenue records is concerned. Thereafter, A1 had executed a settlement deed in favour of this petitioner/A3 his daughter. This issue was examined by the High Court in W.P.No.1762 of 2020, wherein orders have been passed to conduct detailed enquiry. Thereafter, the defacto complainant had lodged a complaint for registering F.I.R.



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3. It is stated that A1 and A2 had been arrested and had been granted bail. Further, the settlement deed executed by A1 in favour of this petitioner had also been cancelled. The entries in the revenue records have also been obliterated and the name of original owner had been restored.

4. However, taking all the other factors into consideration this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is 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 **Judicial Magistrate No.I, Nagapattinam**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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:



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[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 as and when required for interrogation.

[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.

[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 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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