



Crl.O.P.No.4576 of 20243

Crl.O.P.No.4576 and 4579 of 2024

C.V.KARTHIKEYAN,J.

The petitioners (A1 & A2) seek anticipatory bail in Crime No.107 of 2024, registered by the respondent police for the offences punishable under Sections 447, 427, 420 of IPC.

2. It is a case of the prosecution that the defacto complainant had bought house site plots measuring about 7200 sq. ft. in the year 2017 situated at S.No.53, Mamallapuram Village, comprised in Punja Survey No.17/3, New S.No. 17/29A, 29B. It is stated that A2 had subsequently sold the said property to one Babu Kannan in the year 2023.

3. The learned counsel for the petitioners stated that there is no dispute over the title of the property. It is stated that there were two plots, among which, one is belonging to the petitioner/A2 and another one is belonging to the defacto complainant. It is stated that no forgery or fake document has been created. The property had been dealt with individually. To that effect FMB sketch and encumbrance certificate had



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also been produced.

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3.Taking all these factors into consideration, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions:

4.Accordingly, the petitioners are ordered to be released on anticipatory 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 **learned Judicial Magistrate, Thirukazhukundram**, on condition that the petitioners shall execute separate 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:

[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.



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[b] the petitioner/A1 shall report before the respondent police once in a week i.e., on Monday at 10.30 a.m., for a period of two week and thereafter, as and when required for interrogation.

[c] the petitioner/A2 shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, 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 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.

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