



Crl.O.P.No.5241 of 2024

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 420, 468, 471, 294(b) and 506(i) of IPC, in Crime No.22 of 2020, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons had received a money from the defacto complainant by giving false promise, as they intend to sell their landed property. Further, they have entered into a sale agreement and thereafter, the accused persons have failed to execute the sale deed in favour of the defacto complainant. Further, on enquiry it came to know that the land shown by the accused is classified as Eri Poramboke which is the Government land. When the defacto complainant demanded to return back her money, the accused have threatened with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner's name is not found in the FIR and there is no previous case pending against the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner's name is not found in the FIR and there is no previous case pending against the petitioner. However, he opposed for grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the petitioner's name is not found in the FIR and there is no previous case pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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 is made ready, before **the learned Judicial Magistrate,-I, Tambaram**, on condition that the petitioner shall execute a 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:

[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



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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 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 abscond, a fresh FIR can be registered under Section 229-A IPC.

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