



Crl.O.P.No.7488 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/accused in Crime No.24 of 2023 registered by the respondent police for the offences punishable under Sections 419, 420, 465, 468, 471, 120-B of IPC seeks anticipatory bail.

2. The earlier application seeking anticipatory bail of the petitioner in Crl.OP.No.26272 of 2023 was dismissed as withdrawn on 14.12.2023.

3. It is the case of the prosecution that A1 had approached the defacto complainant for financial assistance for his sister's marriage. The defacto complainant had given title documents of his property. Thereafter, A2 acted as an impersonator and had sold the property to A3. The role of this petitioner is that he had acted as a mediator/broker in the entire transaction. It is stated that he had benefited to a sum of Rs.20 lakhs.



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4. The learned counsel for the petitioner denied these statement.

But however, the statements can be verified when the accused are taken into custody. As on date, out of 14 accused, 9 accused have been taken into custody. But, the impersonator had not yet been identified.

5. The earlier application seeking anticipatory bail was dismissed on 12.02.2024 in Crl.OP.No.962 of 2024 . The change in circumstances is that there has been progress in the investigation as on date, but it seen that some of the accused have been granted anticipatory bail.

6. Taking all those factors into consideration, this Court is inclined to grant anticipatory bail subject to the following conditions:

7. 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, Annur** on condition that the petitioner shall



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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 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 every day 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.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the



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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.

27.03.2024

Vv

C.V.KARTHIKEYAN, J.



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