



Crl.O.P.No.12894 of 2024

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S. SOUNTHAR, J.

The petitioners herein seek anticipatory bail in Crime No.68 of 2024 registered by the respondent Police for the offence punishable under Section 379 of IPC.

2. The case of the prosecution is that the de-facto complainant and his father had borrowed money from the 1st petitioner and had executed a registered sale deed. Now the de-facto complainant is asking the 1st petitioner to return the registered sale deed and laid boundary stone. The petitioners refused to return the same and removed the boundary stones worth Rs.20,000/- on 26.04.2024. Hence, the complaint.

3. Learned counsel for the petitioners submitted that the petitioners are husband and wife and 3rd accused is their daughter, who is a college student. The 1st petitioner purchased the land from the de-facto complainant and his father Ayyavu in the year 2019 and registered the same. After the demise of Ayyavu, the de-facto complainant is insisting the petitioners to return the land and threatens the petitioners with false complaints. The petitioners are an innocent family and false case has been laid against them.



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The daughter of the petitioners, who is the 3rd accused has been granted anticipatory bail. Hence, he seeks anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal side) stated that the 3rd accused has been granted anticipatory bail.

5. Having regard to the nature of the allegation made against the petitioners and also the fact that the 3rd accused who is the daughter of the petitioners was already granted anticipatory bail by the Sessions Court, Salem, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are 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 **learned Judicial Magistrate No.I, Attur** on condition that the petitioners shall execute 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 the learned Magistrate



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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.

[b] the petitioners shall report before the respondent police everyday at 10.00.a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 petitioners 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]**;

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

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