



Crl.O.P.No.14094 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 120B, 419, 420, 465, 467, 468 and 471 IPC in Crime No.5 of 2024, seeks anticipatory bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. Infact, petitioner purchased the property in the year 2007 itself for a valid sale consideration and subsequently, sold the property to A\$ namely Deepavathi in the year 2013. But he was falsely implicated, as if he conspired with the other accused by impersonation and creation of sale deed in respect of the property belongs to the defacto complainant. A4 has been released on bail. A1 had died. Now the document which stands in the name of the A4 has been seized. He further submits that he is ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail



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to the petitioner.

3. Learned counsel for the intervenor appearing for the defacto complainant submitted that, the property originally belongs to the father of the defacto complainant. After the death of his father, the defacto complainant and other legal heirs are in joint possession and enjoyment of the property. On 03.07.2023, some strangers informed him that, they have purchased the property. Later, it was found that A1 created forged documents and sold the land to A2 in the year 2006. Thereafter, A2 sold the property to A3/petitioner in the year 2007. Later, A3/petitioner sold the property to A4. Therefore, he submits that, petitioner along with other accused impersonated and created forged documents to grab his property. Thus, he oppose the grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent also opposed this petition, stating that, A1 to A4 conspired and grabbed the property of the defacto complainant. The document which stands in the name of A4 has been seized. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.



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5.Taking into consideration the facts of the case and the submissions made by the learned counsels, 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 (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate I, Poonamallee*, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two sureties,**(out of which, one surety must be blood surety)** 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b](i) the petitioner is directed not to cause any



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encumbrance over the aforesaid property.

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[b](ii) the petitioner shall report before the respondent police every Tuesday at 10.30 a.m, for a period of eight weeks;

[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 has been imposed and the petitioner is 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]*; and;

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

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