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*Crl.M.P. No.9858 of 2024
in Crl.O.P. No.29789 of 2018*

**Crl.M.P. No.9858 of 2024
in
Crl.O.P. No.29789 of 2018**

N.ANAND VENKATESH, J.

This petition has been filed to cancel the anticipatory bail granted in Crl.O.P. No.29789 of 2018 dated 12.02.2019 in favour of respondents 2 to 4 (A3 to A5).

2. When this Court passed the order granting anticipatory bail, this Court imposed a condition that none of the petitioners in the anticipatory bail petitions will create any further encumbrance in the property till the completion of the proceedings.

3. The petition to cancel the anticipatory bail has been filed mainly on the ground that A4 had executed a settlement deed in favour of A5 on 21.03.2023 in violation of the specific direction issued by this Court.

4. The second respondent in this petition is A3. No ground has been made against A3 for cancellation of anticipatory bail. The focus is



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now only on the third and fourth respondents, who were arrayed as A4 and A5. A4 is the wife and A5 is the husband. The wife has executed a settlement deed in favour of her husband on 21.03.2023.

5. A counter has been filed by the third respondent and at paragraph 6 of the counter, the third respondent has given an undertaking that she is willing to cancel the settlement deed executed by her in favour of her husband on 21.03.2023. The relevant portion is extracted hereunder:

'6. I hereby undertake to cancel the above said Settlement Deed executed by me dated 21.03.2024 (sic.) in favour of my husband viz Cancellation Deed with a kind leave of this Hon'ble Court within the time fixed by this Hon'ble Court. I further submit that I am ready to abide by any conditions as imposed by this Hon'ble Court.'

6. Considering the above undertaking given by the third respondent and also considering the fact that the investigation has been completed, the final report has already been filed before the Judicial Magistrate – II, Chengalpet, which has been taken on file in C.C.No.309 of 2022, it will suffice, if a direction is given to the third



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respondent to cancel the settlement deed within the time frame fixed by this Court.

7. In the light of the above discussion, this criminal miscellaneous petition is disposed of with a direction to the third and fourth respondents (A4 and A5) to take immediate steps to cancel the settlement deed dated 21.03.2023 registered as Document No.16846 of 2023 on the file of the Sub Registrar Joint II, Chengalpet within a period of two weeks from the date of receipt of a copy of this order.

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20.09.2024



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