



Crl.OP.No.17297 of 2024

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P.DHANABAL, J.

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 120(b), 420, 465, 468, 471, 506 (i) of IPC in Crime No.11 of 2015, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with the other accused sold the property belonging to the defacto complainant by forging the sale deed to A11 vide Sale Deed in Doc.No.3340/2009 dated 14.12.2009. Hence, the complaint.

3. The learned counsel for the petitioners would contend that they are falsely implicated by the respondent police in the case and the A1, A4 and A11 are already enlarged on bail during the year 2015 itself. Hence seek anticipatory bail.

4. The learned Government Advocate (Crl.Side) contended that the accused persons have forged and executed the sale deed in favour of A11 and have been enjoying the property in the absence of the defacto



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complainant. Hence, the complaint has been filed and investigation is going on and opposed this petition.

5. Considering the fact that the other co-accused were released on bail during the year 2015 and taking into consideration of the date of FIR i.e., in the year 2015 and also the respondent police have not secured the accused all these days and also considering the nature of offences, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following 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.III, Thirupathur, on condition that the petitioners shall execute a 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 concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[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 learned Judicial Magistrate No.III, Thirupathur at 10:30 am on every first week of the English Calendar month for a period of 6 months and thereafter as and when required for interrogation.

[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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

13.08.2024

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