



Crl.O.P.No.22580 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 120B, 465, 467, 468, 471 and 420 of IPC, in Crime No. 22 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that petitioner along with other accused had created fake documents of the defacto complainant and had illegally sold the defacto complainant property to others, when he is alive. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that A1 has created the forged death and legal heir certificates of the defacto complainant when he is alive claiming himself as the son of the defacto complainant. A1 has made the settlement deed in favour of his wife/A2 who had given general power of attorney to A3 and A3 had executed a sale deed in favour of A4. A5 is the land broker and A6 who is the petitioner herein is the document writer of the said property and they are the master minds of the said offence. He further submitted that the petitioner is actively participated in the said offence and the accused shared Rs.35 lakhs among themselves. He further submitted that A3 has been arrested and released on bail and A1 and A5 are still absconding. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

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.



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6. Accordingly, the petitioner shall deposit a sum of **Rs.5,00,000/- (Rupees Five Lakhs only)** to the credit of **Crime No.22 of 2024**, within a **period of two weeks from the date of this order** and on such deposit, 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 No.1, 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 a 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] the petitioner shall report before the **respondent police on every Tuesday and Saturday at 10.30 a.m until further orders.**



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[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;

7. Post the matter on 24.10.2024 “ for reporting compliance”.

26.09.2024

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T.V.THAMILSELVI, J.



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26.09.2024