



Crl. O.P. No.23123 of 2024

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P. DHANABAL.J.,

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The petitioner / Accused-3, who apprehends arrest in the hand of the respondent police for the offences punishable under Sections 465, 467, 468, 471 and 420 r/w 34 of IPC in connection with the Cr. No.6 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the accused have created forged sale deeds in respect of the lands covered under the Sale Deed in Doc. No.646/1959 in the name of the defacto complainant after obtaining Patta No.290 in the name of Padmanabhan and Subramani comprised in Survey No.67/12C14B2 and grabbed the said land and hence the case.

3. The learned Senior counsel appearing for the petitioner would submit that the land to the extent of Acre 0.95 cents allotted to Padmanabha Naicker and Subramani was sold by them to Sunitha Guptha and Anshu Agarwal to an extent of Acre 47.5 cents each under Patta No.290 and the said Sunitha Guptha and Anshu Agarwal had sold the said Acre 0.95 in favour of the petitioner herein vide Patta No.803 and she has been under continuous possession and enjoyment for the past 20 years, that the defacto complainant and his family members made a criminal conspiracy to grab the properties, which were already sold by them in the



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year 1986 and she falsely represented to the revenue authorities by obtaining legal heir certificate and obtained Patta No.792 in respect of Survey No.67/12C14B1 to an extent of 0.87.05 Ares and they have created forged documents by including the other properties, that the petitioner is an innocent, that she is ready and willing to abide by any condition imposed by this Court and she has already appeared before the respondent police for enquiry and therefore, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that the petitioner along with other accused have created forged documents after obtaining forged Patta No.290 in the name of Padmanabhan and Subramani and grabbed the land comprised in Survey No.67/12C14B2 in Krishna Karanai Village, Thiruporur Taluk, Chengalpattu District, that there is a civil dispute pending between the parties and investigation is pending and hence he strongly opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate Court No.II, Chengalpattu** on condition that the petitioners shall execute a 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 learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police on daily at 10 a.m. for 30 days and thereafter as and when required for interrogation;



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[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[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 have been imposed and the petitioner 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 269 B.N.S.2023.

20.09.2024



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To

- 1.The Judicial Magistrate Court No.II, Chengalpattu
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, District Crime Branch, Chengalpattu District.

P.DHANABAL,J
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