



Crl.M.P.No.1680 of 2024 in Crl.OP.No.22001 of 2019

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G.K.ILANTHIRAIYAN, J.

This petition has been filed to cancel the anticipatory bail granted to the respondents 1 to 5 by this Court in Crl.O.P.No.22001 of 2019 by an order dated 20.08.2019.

2. The respondents 1 to 5 had filed Anticipatory bail before this Court apprehending arrest at the hands of the 6th respondent police for the offences punishable under Sections 420, 471 IPC in Crime No.153 of 2019. This Court granted Anticipatory Bail to them on the following conditions :

"Accordingly, the petitioners are directed to jointly deposit the original title deed of a property worth not less than Rs.30,00,000/- (Rupees Thirty Lakhs only), standing in the name of the petitioners or in the name of their relatives/friends along with the valuation certificate obtained from the concerned revenue authorities to the credit of Crime No.153 of 2019 within a period of two weeks from the date on which the order copy made ready and on such deposit, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned Judicial Magistrate, Tiruchengode on the 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, falling 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 are directed to jointly deposit the original title deed of a property worth not less then Rs. 30,00,000/- (Rupees Thirty Lakhs Only), standing in the name of the petitioners or in the name of their relatives/ friends along with the valuation certificate obtained from the the concerned revenue authorities to the credit of Crime No.153 of 2019 within a period of two weeks from the date on which the order copy made ready, before the learned Judicial Magistrate, Tiruchengode.

[c] the petitioners 1 and 2 shall report before the respondent police as and when required for interrogation. The petitioners 3 to 5 shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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 it the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court Supreme himself as laid down by the Hon'ble Supreme Court of India in P.K.Shaji vs State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC."



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3. Accordingly, the respondents 1 to 5 shall deposit original title deed of immovable property of value not less than Rs.30,00,000/- standing in the name of the respondents 1 to 5 or in the name of their relatives/friends along with the valuation certificate obtained from the concerned revenue authorities to the credit of Cr.No.153 of 2019 within a period of two weeks from the date of receipt of copy of the order, failing which, petitioners' Anticipatory Bail shall stand cancelled without any further reference.

4. The learned counsel for the petitioner submitted that so far the respondents 1 to 5 herein did not execute sureties and failed to deposit any title deeds worth Rs.30,00,000/-. The 6th respondent did not even take any action as against the respondents 1 to 5 so far. In fact, the 6th respondent filed final report and the same was taken cognizance in C.C.No.06/2021 on the file of the Judicial Magistrate Court, Kumarapalayam, Nammakkal District. Though, the trial court issued summons to the accused i.e., the respondents 1 to 5 herein, they keep on filing petition under section 317 of Cr.P.C to condone their appearance before the trial court. It was also repeatedly allowed by the trial court without even noting the fact that the



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respondents 1 to 5 herein failed to execute the sureties as directed by this Court while granting Anticipatory Bail to them.

5. In view of the above circumstances, the respondents 1 to 5 failed to execute the sureties within a period of two weeks from the date of receipt of copy of the earlier order and they failed to execute the tile deeds as directed by this Court. Therefore, it is made clear that the Anticipatory bail granted to the respondents 1 to 5 stood automatically cancelled. Further, the 6th respondent herein is directed to secure the respondents 1 to 5 herein and proceed in accordance with law.

6. With the above direction, this criminal miscellaneous petition is disposed of.

28.02.2024

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