



Crl. O.P. No.24938 of 2024

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P. DHANABAL.J.,

The petitioners/accused who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 465, 467, 468, 471 and 420 of the IPC in Crime. No.440 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the property bearing S.No.387/1-H, Vangoor Village, Walaja Taluk, Ranipet District, belonged to 1. Muthappa Reddy, 2.Govindaraji Reddy and 3.Murugappa Reddy. The first petitioner illegally executed Settlement Deed vide Doc.No.706/2017 dated 02.03.2017 in favour of the second petitioner and mortgaged the disputed property. The defacto complainant was claiming the share of the property. Hence the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons, they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He also submitted that the petitioners and the defacto complainant



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are close relatives and there was a property dispute pending between them; that the alleged date of occurrence was in the year 2017 and the FIR has been registered in the year 2024. He further submitted that the petitioners are law-abiding citizens; and that they are ready to abide by any conditions that may be imposed by this Court and therefore, he prayed to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the property bearing S.No.387/1-H, Vangoor Village, Walaja Taluk, Ranipet District, belonged to 1. Muthappa Reddy, 2.Govindaraji Reddy and 3.Murugappa Reddy; that the first petitioner illegally executed Settlement Deed vide Doc.No.706/2017 dated 02.03.2017 in favour of the second petitioner and mortgaged the disputed property; and that the defacto complainant was claiming the share of the property. He further submitted that there are no previous cases pending against the petitioners. However, he opposed the grant of anticipatory bail to the petitioners.

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



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6. Considering the representation made by both sides, the nature of offences charged against the petitioners, the alleged date of occurrence was in the year 2017 and the FIR has been registered in the year 2024, that already the settlement deed and mortgage deed were cancelled, that all the alleged offences are borne out of records and there is no chance for tampering the evidence and also taking into consideration that there are no previous cases pending against the petitioner, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy was made ready, before the learned *Judicial Magistrate No.II, Walajapet, Ranipet District*, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each** with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned, and on further conditions that:



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[a] the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

[b] the petitioners 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 or tamper with the evidence;

[c] the petitioners shall not leave India without the prior permission of the Court;

[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 absconds, a fresh FIR can be registered under Section 269 of the BNS.

14.10.2024



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To

1. The Judicial Magistrate No.II,
Walajapet,
Ranapet District.
2. The Inspector of Police,
Walajapet, Police Station,
Ranipet Distrtict.
3. The Public Prosecutor,
High Court, Madras.



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