



Crl.O.P. No.24477 of 2024

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WEB CO P.DHANABAL.J.,

The petitioner apprehends arrest for the alleged offences under Sections 465,468,471,419 and 425 of IPC in Crime No.13 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the defacto-complainant had purchased the subject land from the mother of the petitioner herein. The petitioner herein had executed Power of Attorney as if the defacto-complainant had executed the power of attorney on 19.03.2008 and by which, the petitioner herein had executed a sale agreement in favour of one Palpandi. Subsequently, the sale agreement was not materialized. She could not sell the subject matter of land. Hence the case.

3. The learned counsel for the petitioner would contend that this petitioner is an innocent person and he had not indulged in any illegal activities as alleged by the prosecution and he has been falsely implicated in this case by the respondent police. There is no previous case as against this petitioner. Hence, he seeks anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) would submit that the petitioner on the strength of power attorney illegally sold the property to the defacto-complainant and he forged the defacto-complainant. In this case, the Power of Attorney was cancelled by the Defacto-complainant. There is no previous case as against this petitioner. However, the learned Government Advocate (Criminal Side) vehemently opposed to grant anticipatory bail to the petitioner.

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

6. Considering the rival submissions on either side, considering the nature of allegations leveled against the petitioner and considering that the so called power deed was cancelled by the defacto-complainant, the alleged date of occurrence was took place in the year 2008 and the complaint was lodged in the year 2024, there is no previous case is pending against the petitioner and also considering other aspects, this court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:



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WEB COPY 7. Accordingly, the petitioner is ordered to be released on anticipatory 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 No.1, Villupuram, Villupuram District** on condition that the petitioner 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 daily at 10.00a.m. until further orders;

[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 him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

[c] the petitioner shall not leave India without the prior permission of the Court.



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[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.

03.10.2024

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