



Crl.O.P.Nos.24470 of 2023 and 168 of 2024

WEB COPY

Crl.O.P.Nos.24470 of 2023 and 168 of 2024

**C.V.KARTHIKEYAN, J.**

The Petitioner/A1 has filed an application in Crl.O.P.No.168 of 2024 and the Petitioners/A2, A3 and A4 have filed an application in Crl.O.P.No.24470 of 2023, both in same Crime No.174 of 2023 registered by the respondent police for the offences under Sections 147, 294(b), 465, 468, 471 and 506(1) IPC. They seek anticipatory bail.

2. It is the case of the prosecution that the defacto complainant had given money to the 1<sup>st</sup> Accused seeking patta for land which had been assigned. The Accused A2, is the father of the Accused A1 and the Accused A3, is the daughter of the Accused A2 and the Accused A4, is the wife of the Accused A1. It is stated that the Accused A3/2<sup>nd</sup> Petitioner in Crl.O.P.No.24470 of 2023 had been arrested and had been granted bail. However, the petition seeking anticipatory bail would not lie since she was granted bail. Accordingly, this Criminal Original Petition stands dismissed as against the 2<sup>nd</sup> Petitioner/A3.



Crl.O.P.Nos.24470 of 2023 and 168 of 2024

WEB COPY

3. It is the case of the prosecution that the Accused A1 had forwarded a patta but which was forged and he had obtained a sum of Rs.5,00,000/- (Rupees Five Lakhs only) for the same. It is stated that when that was questioned, the Accused had gone over to the house of the defacto complainant and had threatened him. It is also stated that they had taken away the title deed of the property.

4. The learned counsel for the Petitioners/A2, A3 and A4 stated that such allegation is only against the 1<sup>st</sup> Accused.

5. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the 1<sup>st</sup> and 2<sup>nd</sup> Petitioners/A2 and A4 in Crl.O.P.No.24470 of 2023 subject to the following conditions. However, this Criminal Original Petition stands dismissed as against the Petitioner/A1 in Crl.O.P.No.168 of 2024. Accordingly, the 1<sup>st</sup> and 2<sup>nd</sup> Petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate I Court at Tirupattur, Tirupattur District**, on condition that the petitioners shall execute a separate bond for a sum of



Crl.O.P.Nos.24470 of 2023 and 168 of 2024

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, failing which, the petition for anticipatory bail shall stand dismissed and on further conditions that :

[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 1<sup>st</sup> and 3<sup>rd</sup> petitioners/A2 and A4 in Crl.O.P.No.24470 of 2023 shall report before the respondent police once in a week i.e. on every Saturday at 10.30 a.m. for a period of four weeks and thereafter, as and when required for the interrogation.**

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

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



Crl.O.P.Nos.24470 of 2023 and 168 of 2024

WEB COPY

[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 229A IPC.

6. Accordingly, this Criminal Original Petition stands allowed as against the Accused A2 and A4/1<sup>st</sup> and 3<sup>rd</sup> Petitioners in Crl.O.P.No.24470 of 2023 and stands dismissed as against the Accused A3/2<sup>nd</sup> Petitioner in Crl.O.P.No.24470 of 2023 and the Accused A1/Petitioner in Crl.O.P.No.168 of 2024.

**21.03.2024**  
(2/2)

mkn2



WEB COPY



Crl.O.P.Nos.24470 of 2023 and 168 of 2024

**C.V.KARTHIKEYAN, J.**

mkn2

**Crl.O.P.Nos.24470 of 2023 and 168 of 2024**

21.03.2024  
(2/2)