



Crl.O.P.No.29985 of 2024

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WEB C A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.27 of 2021 registered for the offences punishable under Sections 34, 419, 468 and 471 of IPC, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. Learned counsel for the petitioner would submit that the allegation against the petitioner is that the defacto complainant, along with his brothers and sisters, purchased properties from one Srinivasa Chettiyar on various occasions. Further, there was a proposal of partition between the defacto complainant and his brothers and sisters, in pursuance of the same, they have approached the Sub-Registrar Office on 08.11.2021 for encumbrance. Later, they came to know that the petitioners had transferred the said property to their name by impersonating as Srinivasa Chettiyar. He further submits that the petitioner is innocent and he has been unnecessarily roped in this case. He also submits that the co-accused already enlarged on bail in Crl.O.P.No.3930 of 2022 dated 18.03.2022 and Crl.O.P.No.7438 of 2022, dated 12.04.2022.



3.The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, is that the petitioner criminally conspired along with the others and created fabricated documents with the intention to grab the properties of the defacto complainant by way of impersonating someone as Srinivasa Chettiyar. He further submits that there are totally ten accused involved in this case and six accused were already granted anticipatory bail.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and 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 of receipt of a copy of this order, before the learned Chief Judicial Magistrate, Puducherry, 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 respondent Police or the Police officer who intends to arrest or to the satisfaction of the said Magistrate, on further condition that:



[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall report before the respondent Police on every Monday and Friday at 10.30 a.m, for a period of four weeks and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 of BNS.

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