



Crl.O.P.No.26787 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner/A4 in Crime No.79 of 2023 registered by the Respondent Police for the offences under Sections 419, 465, 467, 468, 471 and 120B IPC, seeks anticipatory bail.

2. It is stated that one Sivakumar, the father of the defacto complainant had acquired a property from Tamil Nadu Housing Board at Aminjikarai/Arumbakkam in Chennai. It is stated that A2 had impersonated as the said Sivakumar and had given a Power of Attorney to A1, who in turn, entered into an agreement of sale and subsequently on the very next day, the said sale deed had also been executed.

3. It is stated that A3 had been granted bail by the Sessions Court. The Petitioner/A4 is a witness to a Power of Attorney. But it is the case of the prosecution that the Petitioner identified the fact that the owners of the property were not available, and they were abroad, and it was on that information, the entire transaction had taken place.



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4. Taking that factor into consideration and also the fact that all the other Accused had been granted bail, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions. 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 on which the order copy made ready, before **the Learned Special Court for Exclusive Trial of Land Grabbing Cases – I, Egmore Court at Chennai**, 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 learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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 petitioner shall report before the Respondent Police daily at 10.30 a.m., until further orders.



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[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 229A IPC.

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