



Crl.O.P.No.28684 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A10 who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 465, 468, 471, 419 and 420 of IPC in Crime No.10 of 2023 on the file of the respondent police, based on a complaint given by the Executive Engineer and Administrative Officer, Tamil Nadu Housing Board, Hosur, seeks anticipatory bail.

2. It has been stated that the respondent had arrested 7 accused and they had been remanded to judicial custody and subsequently bail had been granted under Section 167(2) of Cr.P.C.. It is the case of the prosecution that on 25.07.2023, a person had approached the defacto complainant for purchasing a Plot in HIG-1-1123 and it was found that, the said plot had already been registered in favour of A7 and the document has been registered before the Sub-Registrar Office, Hosur. Thereafter, it had been revealed that further plots had been sold in favour of A2, A3 and A8. Under this circumstance, a complaint was registered and FIR was registered.

3. So far as A10 is concerned, it is stated that he created forged



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documents and cheated the victims. It is stated that A1 to A7 had been arrested and granted bail under Section 167(2) of Cr.P.C. The learned Government Advocate (Criminal Side) stated that there are two similar previous cases registered against the petitioner, which are registered in Cr. No.2 of 2020 on the file of Central Crime Branch, Tiruppur City and in Cr. No.7 of 2022 on the file of District Crime Branch, Tiruppur.

4. The learned counsel for the petitioner stated that the petitioner's name is not found in those two FIRs. However, it is also stated that the respondent issued Notice under Section 41(A) of Cr.P.C. to the petitioner and he had also appeared before them and co-operated for enquiry at that particular point of time.

5. Taking an over all consideration of the entire facts of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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



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the date on which the order copy made ready, before the **learned Judicial Magistrate No.II, Krishnagiri** 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;

[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;



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[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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