



Crl.O.P.No.28717 of 2024

A.D.JAGADISH CHANDIRA, J.

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 and 506(i) of IPC in Crime No.64 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, the defacto complainant one Baskar, who is doing real estate business, lodged a complaint against the petitioner and co-accused, stating that the petitioner herein had offered to sell her property in favour of A2/ Kumar and obtained an advance of Rs.2,00,000/- from the defacto complainant and later, the petitioner neither executed the sale nor returned the advance amount, while the same was questioned by the defacto complainant, the petitioner threatened the defacto complainant with dire consequences. Hence, this case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is innocent and have not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He further submitted that the petitioner has not received any money from the defacto



complainant and further the late father of the petitioner had conveyed to sell the property for a consideration amount of Rs.35,00,000/- with A2. He would further submit that the petitioner had requested A2 and the defacto complainant to make arrangements for the registration of the property within one month, but subsequently, the father of the petitioner had died and the defacto complainant had not complied with the terms of the oral agreement of sale. He would also submit that the case is purely civil in nature and the defacto complainant lodged a false complaint, at the instigation of third parties, due to personal vendetta and further the petitioner is ready to produce solvent sureties and to abide with any conditions that may be imposed by this Court, therefore, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioner, stating that the defacto complainant is doing a real estate business and the petitioner herein offered to sell her property, thereby the defacto complainant paid a sum of Rs.2,00,000/- as advance to execute the sale in favour of A2 and later, the petitioner has colluded with A2 and not come forward to execute the sale and also not returned the advance amount.

5. Heard the learned counsel for the petitioner, the learned



Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

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6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate - II Court, Maduranthagam** on condition that the petitioner shall execute a separate 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.



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[b] the petitioner shall report before the respondent police everyday at 10:30 a.m., for a period of one week 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 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 269 B.N.S.

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