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CrI.O.P.No.28588 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner/Accused in Crime No.418 of 2022 registered by the Respondent Police for the offences under Sections 406, 420 and 506(i) IPC, seeks anticipatory bail.

2. The learned counsel for the Petitioner stated that the Petitioner is an innocent person and she has been falsely implicated in this case. He also stated that she is no way connected with the commission of that offence. Thus, he prays for grant of anticipatory bail to the Petitioner herein.

3. The learned Government Advocate (Criminal Side) stated that the Petitioner had entered into an agreement of sale with the defacto complainant with respect to a property at Old No.7, New No.13, Jaganathapuram School Road, Jeganathapuram, Chetpet, Chennai – 600 031 and had also received an advance amount of Rs.12,20,000/- (Rupees Twelve Lakhs and Twenty Thousand only). The husband of the Petitioner died on 24.01.2021. It is stated that after the death of her husband, the Petitioner had



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executed a sale deed in favour of some other person. The First Information Report had been registered and the application had been filed under Section 156(3) of Code of Criminal Procedure. The entire issue relating to an agreement of sale also has the remedy available by filing necessary suit for enforcement of the said agreement.

4. Taking all the factors into consideration, 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 her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Metropolitan Magistrate No.XIII, Egmore, 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:



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[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 once in a week i.e., on every Saturday at 10.30 a.m., for a period of three weeks and thereafter, as and when required for the 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]**.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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