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Crl.O.P.No.27421 of 2023

Crl.O.P.No.27421 of 2023
and Crl.O.P.No.43 of 2024

C.V.KARTHIKEYAN, J.

A4 has filed Crl.O.P.No.27421 of 2023 and A2 has filed Crl.O.P.No.43 of 2024 both in Crime No.406 of 2023 respondent Police for the offences punishable under Sections 465, 468 and 471 of IPC.

2.A2 is the daughter of A1. A1 is the adjacent land owner of one C.Ravi. He had an existing dispute with C.Ravi. Thereafter, he had sold his land to A2 and in that sale deed, in the schedule he had also included the land of C.Ravi. That particular documents was written by A5. Thereafter, A2 had sold the land to A3 and that particular document was written by A4 who is the petitioner in Crl.O.P.No.27421 of 2023 and a Document Writer. The defacto complainant is the Sub Registrar at Joint No.II, Thirupathur.

3. However, the learned counsel for the petitioners drew attention of this Court to proceedings of the District Registrar, Thirupathur in proceedings No.777/ஆ3/2023 dated 07.07.2023, wherein after detailed enquiry, he held that both the sale deed by A1 in favour of A2 and the sale deed by A2 in favour of A3 are fabricated documents, and thereafter,



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exercising power under Section 77(A) of the Registration Act 1981 had cancelled both the documents. To that extent, status quo ante has been restored.

4. The learned counsel for A2 is not present, but the Court had the benefit of arguments advanced by the learned counsel for A4 and the learned Government Advocate(CrI.Side).

5. However, taking all the other factors into consideration this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Tirupattur**, on condition that the petitioners 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 petitioners and the sureties shall affix their



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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 petitioners/A2 & A4 shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 229A IPC.

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