



Crl.O.P.No.27268 of 2023

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C.V.KARTHIKEYAN,J.

The petitioners who apprehend arrest at the hands of the respondent Police for the offences under Sections 147, 148, 427, 506(i) of IPC in Crime No.602 of 2023, seek anticipatory bail.

2.It is stated that the daughter-in-law of the defacto complainant had introduced several persons including the petitioners and had promised jobs to be given in Railways on payment of amount. It is stated in that particular manner, a sum of Rs.14,00,000/- had been collected but neither was the job given nor was the amount returned. In the complaint, it had been alleged that the petitioners had forcibly entered into the house of the defacto complainant and had directed the execution of the sale deed of the said house on 12.11.2018 which had been registered as document No.3016/2018 before the Sub Registrar, Dharmapuri District.

3.The learned counsel for the petitioner stated that the sale deed had been registered and if at all the defacto complainant or the daughter-in-law, a complained about undue influence being exerted, then she can proceed in the manner known law for seeking cancellation of the sale deed.



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4.The learned Government Advocate (crl.side) however stated that the petitioners have forcibly entered into the house of the defacto complainant and had damaged various articles and had forged the defacto complainant to execute the sale deed.

5.That is an issue will have to be examined during the course of trial as to whether the sale deed was executed voluntarily or under threat. That factor is a matter for evidence. Taking that factor into consideration, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions:

6.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 Judicial Magistrate No.II, Dharmapuri, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties 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 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 first and third petitioners shall report before the respondent Police daily at 10.30 a.m., until further orders and the second 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 two weeks and thereafter as and when required for interrogation.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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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