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Crl.O.P.No.30957 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 30957 of 2024

Kanagaraj
S/o. Arumugam, D.No.2/385, Aathi Narayanapuram
Kulathur, Chinniyampalayam, Coimbatore-641 082.

Petitioner(s)

Vs

The State Rep by
The Inspector of Police, Central Crime Branch,
Coimbatore. (Crime No. 76 of 2024)

Respondent(s)

For Petitioner(s):

R Nandhakumar
P.Vikramkumar
A.Jahan

For Respondent(s):

Public Prosecutor

ORDER

Apprehending arrest in connection with Crime No.76 of 2024 registered for the offences punishable under Sections 465, 466, 467, 468, 471, 506(2) & 120B of IPC, the present petition has been filed by the petitioner seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication



in the case, learned counsel for the petitioner seeks indulgence of this Court.

He further submits that the petitioner is innocent and that A1 and A2 had suppressed the fact and sold the property to him and the petitioner had purchased the property by paying them a sale consideration of Rs.43 Lakhs. He would submit that other than having purchased the property belonging to A1 and A2, he has not committed any offence. He would submit that he is ready to abide by any stringent condition that may be imposed by this court. He would also submit that the petitioner is also ready to give an undertaking before the Court concerned that as on date, he will not make any further alienation or encumbrance over the property.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the accused / A1 and A2, by obtaining a legal heir certificate suppressing the fact, had sold the share belonging to the defacto complainant and her daughter to third parties. The petitioner herein is also one among them, thereby, cheated the defacto complainant.

4. Having heard the learned counsel for the petitioner and the learned



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Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he is ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate No.7, Coimbatore**, 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 file an affidavit of undertaking before the learned Judicial Magistrate No.7, Coimbatore, that he will not further alienate or encumber the property purchased from the accused.



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Anu

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m. until further orders.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].

[g] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 B.N.S.

12.12.2024

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To

1. Judicial Magistrate No.7, Coimbatore
2. The Inspector of Police, Central Crime Branch,
Coimbatore

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