



WEB COPY



Crl.O.P.No.31289 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-12-2024

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL OP NO. 31289 of 2024

RAJAKRISHNAN

D.No.23, G.K.R.Nagar, Chinniyamapalayam
Coimbatore S/o. Chellamuthu, D.No.23, G.K.R.Nagar,
Chinniyamapalayam, Coimbatore-641046

Petitioner(s)

Vs

State, Rep By, Inspector Of Police
Central Crime Branch, Coimbatore. (Crime No. 70 of
2024)

Respondent(s)

For Petitioner(s):

R Nandhakumar
Vikramakumar.P
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 the petitioner is arrayed as A6. He would submit that believing A1 and A2, the petitioner had, after paying the sale consideration, obtained the Power of Attorney and thereafter, sold the property to A7 and A8. 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 of the existence of other legal heirs, 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

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.



Crl.O.P.No.31289 of 2024

A.D.JAGADISH CHANDIRA, J.

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.

16.12.2024

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To

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

Crl.O.P.No.31289 of 2024