



CrI.O.P.No. 31658 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2024

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

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Vijaya

... Petitioner-A3

Versus

The State,
Represented by
The Inspector of Police
Palacode Police Station
Dharmapuri District.
Crime No. 320 of 2024.

...Respondent

Prayer : Criminal Original Petition filed Under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2024, praying to enlarge the petitioner on anticipatory bail in the event of arrest in relating to Crime No. 320 of 2024 pending investigation on the file of the respondent.

For Petitioner : Mr.Munusamy Chokkalingam

For Respondent : Mr.S.Santhosh Kumar
Government Advocate
(Criminal Side)



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ORDER

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420, 464, 470 and 474 of IPC, in Crime No. 320 of 2024, on the file of the respondent police, seeks 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 was working as Sub Registrar in-charge of the concerned Sub Registrar Office on 07.05.2024. He would further submit that the petitioner has nothing to do with the alleged offence. He would further submit that the petitioner is innocent person and he has been falsely implicated in this case. He would further submit that no previous case is pending against him. He further submits that the petitioner is ready to abide by any stringent condition that may be imposed by this court.



3.The case of the prosecution, as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the first accused had executed a gift deed in favour of his son, second accused illegally with the help of the Sub Registrar who was arrayed as A3. It is alleged that the property in question was already purchased by the Corporate Company, namely, Nivethana Promoters (P) Limited. While that being the case, A1 and A2 had sold the property by fabricating the documents to the de-facto complainant who was a Real Estate Promoter, with the help of the Sub Registrar/A3. He would further submit that the petitioner/A3 who was in charge of the Sub Registrar Office concerned on the particular date i.e., on 07.05.2024, had permitted leading to the funds. He would further submit that the petitioner has no previous case pending against him.

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



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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, Palacode, 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] 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;

[c] the petitioner shall report before the respondent Police everyday at 6.30 p.m for a period of two weeks and thereafter every Saturday at 10.30 am 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;



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[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 absconds, a fresh FIR can be registered under Section 269 of BNS.

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A.D.JAGADISH CHANDIRA, J.

MSM

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