

Crl.O.P.Nos.4263 & 4422 of 2016**K.KALYANASUNDARAM, J.**

The petitioners, who are arrayed as Accused, apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 420, 465, 467, 468, 471 r/w 34 IPC, on the file of the respondent police, in Crime No.30 of 2015 and seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant filed a private complaint before the learned Judicial Magistrate No.V, Combatore, in Crl.M.P.No.2913 of 2015 seeking for a direction to register a case against the the accused alleging that his brother Sundarasamy by forging the signature of his father had created an unregistered Will dated 15.01.2008 claiming right over the property in dispute.

3.The learned counsel for the petitioner in Crl.OP.No.4263 of 2016 would submit that the petitioner's husband Sundarasamy filed a suit in O.S.No.1583 of 2008 against the defacto complainant for declaration of his title over the property based on the Will dated 15.01.2008. After the suit was decreed, he executed a settlement deed in favour of the petitioner. While so, a false complaint was given in the year 2015 alleging that her husband has forged the signature in the Will.

4. It is further submitted that the petitioner's husband Sundarasamy was granted anticipatory bail by the District and Sessions Court , Coimbatore in Cr.M.P.No.3290 of 2015 on 02.12.2015. He further submitted that A3 and A4 are signatories to the settlement deed.

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adl/sms

5. Heard the learned Government Advocate (Crl.side) appearing for the respondent.

6. Considering the facts and circumstances of the case, this court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the Judicial Magistrate Court No.V, Coimbatore and on each of them executing 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 learned Magistrate concerned and on further condition that the petitioners in Crl.O.P.No.4422 of 2016 shall appear before the respondent police daily at 10.00 a.m for a period of two weeks and thereafter, as and when required for interrogation. The petitioner in Crl.O.P.No.4263 of 2016 shall appear before the respondent police as and when required for interrogation. The petitioners shall comply with the condition stipulated under Section 438 Cr.P.C. scrupulously.

7. The petitioners shall appear before the concerned Magistrate within a period of 15 days from the date on which the order copy made ready, failing which, the petition for anticipatory bail stands dismissed.

sms

18.03.2016

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