



Crl.O.P.No.21676 of 2022

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A.D.JAGADISH CHANDIRA,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 419, 420, 465, 467, 468 and 471 IPC, in Crime No.116 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is the son of once Govindaraj, who is the brother of the deceased Subramanian and thereby, he became second class legal heir to the deceased Subramanian, who died without any issues with regard to sharing of the property of the said Subramanian, and due to family problem a false complaint has been given.

3. The learned counsel for the petitioner would submit that the petitioner's sister one G.Mala, who has been similarly placed approached this Court and obtained anticipatory bail in Crl.O.P.No.18541 of 2022 on 22.08.2022. He would further submit that the petitioner is ready and willing to abide any stringent condition imposed by this Court and co-operate with the respondent police in the investigation. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) would submit that the petitioner along with other accused persons fabricated fake documents and defeated the right of the defacto complainant. Therefore, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances and that the co-accused was already granted anticipatory bail in Crl.O.P.No.18541 of 2022 dated 22.08.2022, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner 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 on which the order copy made ready, before the **learned Judicial Magistrate Court No.I, Poonamalle** on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** 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



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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 appear before the respondent police as and when required for interrogation.

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

[d] the petitioner shall not abscond 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 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]**.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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