



Crl.O.P.No.16869 of 2023

prays for grant of anticipatory bail to the Petitioner.

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4.The learned Government Advocate (Crl. Side) for the Respondent is vehemently opposed to grant anticipatory bail to the Petitioner.

5.Heard both sides and perused the materials available on record.

6.Considered the facts and circumstances of the case and also the submissions made by the learned counsel on either side. The Accused viz., Ramu and the deceased viz, Senbagarani are husband and Wife. The Defacto Complainant is one of the daughters of the above parties. Both the Accused and the deceased were working in Education Department. The deceased died on 01.11.2014, due to breast cancer. Based upon the nomination given by her, the entire death benefits were given to the husband/Petitioner. Now one of the daughters has lodged a complaint alleging that, while cleaning the house, she came to know the signature of her Mother dated 16.11.2007, which was signed in respect of enrollment of a Course viz., B.Ed. The signature found in the acknowledgment card and signature found in the nominee details are different and hence she lodged a complaint. Whether the signature of the deceased was manipulated or forged by the Accused is the question for investigation by the Forensic Department. On perusing all the available records of the school authorities, I am inclined to grant anticipatory bail to the Petitioner with certain



conditions.

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7. 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, Pappireddipatti**, on condition that the Petitioner shall execute a separate 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 report before the Respondent Police, on every Tuesday at 10.30 a.m., and every Saturday at 10 10.30 am for a period of three weeks and thereafter as and when required;**

[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 Petitioners 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 229A IPC.

Consequently, connected Miscellaneous Petition is closed.

18.08.2023

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RMT.TEEKAA RAMAN, J.

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