



Crl.O.P.No.19618 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 465, 468, 471 and 420 of I.P.C, in Crime No.123 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner is the priest and Director of Chengalpattu Rural Development Society and the same is registered under Society Act. The petitioner's society had enrolled the members in LIC term insurance policy and paid necessary premium, in event of death of policy holder, the staff, collected all required documents from the deceased family member and submitted to LIC. After complete verification and satisfaction, LIC of India directly transferred a sum of Rs.20,000/- to deceased nominees bank account. Further, in the circumstance the petitioner's society was informed by LIC the date of death in four death certificates has submitted for claim was found altered. Hence the case.



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3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that A4 arrested who is working under A1. Later, A1 to A3 were arrested and granted bail. However, he opposed for grant of anticipatory bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, it is in connection with the group insurance taken by group of people called a Master policy in which some of the members have filed a wrong holder's death certificate, so as to get benefits and one of the term to get benefit and the master policy is that if the person so insured itself out of 45 days



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is not entitled for relief and Rs.25,000/- as a policy coverage, the petitioner have altered the date of death and fabricated the document and 4 persons case have been referred to F.I.R. The petitioner herein is only a organizer who is organizing the same and taken policy in the master policy.

7. It is represented for Rs.20,000/-*4 (Rs.80,000/-) have been deposited with the de-facto complainant on the registration of the policy. The other two persons A2 to A4 who are arrested and granted bail by the Sessions Court on 29.08.2023. It is also directed to the Investigation Officer to have not included the beneficiary who has received Rs.20,000/- , 4 beneficiaries has to be arrayed as an accused and the Investigation Officer to take necessary steps in this regard. Hence, this Court is inclined to grant anticipatory bail to the petitioner.

8. 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 Metropolitan Magistrate No.2, Egmore** on condition that the



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petitioners 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, everyday at 10.30 a.m., until further orders;

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial



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Court himself as laid down by the Hon'ble Supreme Court
in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

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

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