



Crl.OP.No.24696 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 420 IPC, in Crime No.200 of 2023, on the file of the respondent police seeks anticipatory bail.

2.The learned counsel for the petitioner stated that petitioner is the son of A1. A1 had actually died in the year 2021. Subsequently, showing her as an accused, FIR came to be filed. It is stated that A2 had been granted bail. Thus, he seeks anticipatory bail to the petitioner.

3.It is stated by the learned Government Advocate (Crl.Side) that the substantial money of Rs.31,00,000/- is due owing to collection through a chit fund. But once FIR had been registered against a dead person, the respondent will now have to rectify that particular error. So far as crime No.200 of 2023 is concerned, petitioner is granted anticipatory bail with certain conditions.



CrI.OP.No.24696 of 2023

4. 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 **Judicial Magistrate II, Alandur**, 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 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 daily at 10.00 a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

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



CrI.OP.No.24696 of 2023

[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].

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

09.11.2023

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CrI.OP.No.24696 of 2023

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