



Crl.O.P.No.5237 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest for the alleged offence under Section 294(b), 420, 506(i) of IPC in Cr.No.92 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the petitioner obtained the forged legal heir ship certificate by suppressing his three sisters. The further allegation is that the petitioner has abused with filthy language and threatened when asked for the shares of his father's self-acquired property. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the petitioner and the defacto complainant are brother and sister, for which already the civil suits are pending. Hence, the learned counsel prays to grant



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anticipatory bail to the petitioner.

4. Learned counsel for the intervenor raised strong objection stating that the petitioner obtained legal heirs certificate, on 25.11.2023 by the order passed by R.D.O, Vellore and the same was also produced. He further submits that the legal heir certificate to be cancelled and the patta to be restored. Hence, he opposed for the grant of anticipatory bail to the petitioner.

5.The learned Government Advocate (Crl.Side) for the respondent would submit that the petitioner obtained the forged legal Heir ship certificate by suppressing his three sisters and obtained in his favour. He further submits that O.S.No.170 of 2021 before the District Court, Vellore, was pending. Hence, he would vehemently oppose to grant anticipatory bail to the petitioner.

6.Taking into consideration the facts and the submissions made by both counsel, this Court is inclined to grant interim anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on anticipatory 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 No.I, Vellore District** 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 Court concerned 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 10.30 a.m.,for a period of twelve weeks;

(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



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learned Magistrate/ Trial Court is entitled to take appropriate

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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]*; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

8. The dispute between the petitioner and the defacto complainant is only with regard to the property issue. Considering the nature of the issues between the parties, for the betterment of the parties, this Court refers the matter to the Mediation Centre, Vellore to resolve the dispute regarding property issue. Both the parties are directed to appear before the Mediation Centre, Vellore, on 07.05.2024, for not less than five sittings and report the same before this Court on 10.06.2024.

Post the matter on 10.06.2024 “for reporting compliance”.

26.04.2024

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