



Crl.OP.No.11010 of 2024

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K.KUMARESH BABU, J.

The petitioners seek anticipatory bail in Cr.No.57 of 2024 registered by the respondent police for the offence punishable under Sections 417, 420, 419, 464, 465, 466, 468, 471, 120B of IPC

2. The case of the prosecution as per the defacto complainant viz., Chandrachari is that his father Channeveerachari is the owner of the property bearing Plot.No.15 in S.No.12, Begappalli Village, Krishnagiri District vide sale deed Document No.13346/2011 which was registered in the Sub Registrar Office, Hosur. He also purchased another property measuring to an extent of 0.03 cents in S.No.54/1A, Begappalli Village, Krishnagiri District vide sale deed Document No.16760/2014, the same was also registered in the Sub Registrar Office, Hosur. After his demise of his father, the petitioners/A1 to A3 had obtained forged legal heir certificate and sold the same to and infavour of the fourth petitioner who is the brother of second petitioner vide sale deed Doc.No.1933/2020. The



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fourth petitioner in his turn, had sold the same to and infavour of one K.Baskar vide sale deed Doc.No.1934/2020. Hence, the complaint.

3. The learned counsel for the petitioners stated that the second petitioner herein is the second wife of the defacto complainant's father and the first petitioner herein is the son of the third petitioner and there was already a family dispute existing between the parties and hence, the defacto complainant had given a false complaint against them and they have not committed any such offence as alleged by the prosecution. Hence, he prays for anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for respondent submitted that the petitioners/A1 to A3 have forged the legal heir certificate of the defacto complainant's father purporting to be made and issued by Tahsildar being a Public servant and committed forgery intending that the legal heir certificate which is forged can be used for the purpose of cheating the complainant and his family members and that the accused had fraudulently and dishonestly used the forged legal heir



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certificate as genuine and executed sale deeds vide Document Nos.1933 and 1934 of 2020 in favour of M.B.Vinodkumar/fourth petitioner attached the forged legal heir certificate to the effect that they are only the legal heirs of Chennaveerachari and wrongfully gained causing great loss to the complainant and his family members. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking all those factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the *learned Judicial Magistrate Court-II, Hosur*, on condition that each of the petitioners shall execute separate bonds 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



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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 petitioners 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 petitioners shall report before the respondent police on every Saturday at 10.30 a.m., until further orders.

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

[d] the petitioners 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 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



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registered under Section 229A IPC.
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