



Crl.O.P.No.24683 of 2024

Crl.O.P.No.24683 of 2024

WEB COPY **P.DHANABAL, J.**

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 506(ii) of IPC in Crime No.226 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant namely Krishnamurthy, born through first wife of one Samraj, who is the father of petitioners 1 and 3 and husband of second petitioner. He sent money to his father for renovation of the house and to buy i-20 car. After the death of his father he demanded for settlement of house property and the i-20 car in his name. As it was refused the defacto complainant has lodged a complaint and the FIR was registered on 26.09.2024. Hence this case.

3. The learned counsel for the petitioner would contend that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the the defacto complainant namely Krishnamurthy,



Crl.O.P.No.24683 of 2024

born through first wife of one Samraj, who is the father of petitioners 1 and 3 and husband of second petitioner. He sent money to his father for renovation of the house and to buy i-20 car. After the death of his father he demanded for settlement of house property and the i-20 car in his name and no previous case is pending against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

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

6. Considering the rival submissions on either side, the nature of offences and considering the fact that no previous case pending against the petitioner, and except 506(i) of IPC all other offences are bailable in nature, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

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 No.1, Mettur* 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



CrI.O.P.No.24683 of 2024

satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioner shall report before the respondent police on every Saturday at 10.00 a.m., for a period of four weeks and thereafter as and when required for interrogation.

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

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

[d] 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].

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

04.10.2024

rna



WEB COPY



CrI.O.P.No.24683 of 2024

P.DHANABAL,J.

rna

CrI.O.P.No.24683 of 2024

04.10.2024