



Crl. O.P. No.26927 of 2024

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P. DHANABAL.J.,

The petitioners / Accused, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 420, 466, 467, 468 and 471 of IPC in connection with the Crime No.254 of 2024, seeks anticipatory bail.

2. The case of the prosecution is on 24.08.2011 the petitioners created bogus legal heir certificate of the de-facto complainant's grandfather with Government seal and signature of the Tahsildar by omitting the female heirs of the deceased grandfather of the de-facto complainant. Hence the case.

3. The learned counsel for the petitioners would contend that the petitioners were unaware of the fact that the inclusion of female heirs was necessary for the legal heir certificate and therefore there is no question of criminality committed by the petitioners. The learned counsel for the petitioners would further contend that the petitioners are innocent and they would abide by any condition imposed by this Court. Hence, the



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petitioners may be granted anticipatory bail.

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4. The learned Government Advocate (Criminal Side) would submit that the petitioners are accused of forging a legal heir certificate for the de-facto complainant's grandfather on 24.08.2011, by omitting the female heirs and using a government seal and the Tahsildar's signature. Hence, he objected to grant anticipatory bail to the petitioners. However, the learned Government Advocate appearing for the State, fairly submitted that there is no previous case against the petitioners.

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

6. Considering the rival submissions on either side, considering the nature of offence involved in this case and considering the fact that there is no previous case against the petitioners and also taking note of the fact it is case of exclusion of legal heirs, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions.

7. Accordingly, the petitioners are ordered to be released on bail in



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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, Thirukovilur** on condition that the petitioners 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 learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent police daily at 10.00 a.m. for a period of 30 days and thereafter as and when for interrogation;

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[c] the petitioners shall not leave India without the previous permission of the Court;

[d] the petitioners shall not abscond either during investigation or



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[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 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 269 B.N.S.2023.

30.10.2024

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To

1. The learned Judicial Magistrate, Thirukovilur
2. The Public Prosecutor, High Court, Madras.
3. The Inspector of Police, Manalurpet Police Station, Kallakurichi District.

P.DHANABAL,J



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