



Crl.O.P.No.27400 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner/A9 in Crime No.259 of 2022 registered by the respondent police for the offences punishable under Sections 419, 420, 465, 467, 468, 471 and 34 of IPC seeks anticipatory bail.

2.It is stated that originally, the petitioner was not an accused, but subsequently he has been arrayed as A9. It is the case of the prosecution that one Jayachandran had died. The petitioner is the brother-in-law of the said Jayachandran. However, the learned counsel for the petitioner states that he is a known person in the locality. At any rate, he knows about the whereabouts of Jayachandran. He would also have known about the death of Jeyachandran. A1 is the Power of Attorney of the deceased Jayachandran. However, one of A3 and A4 had impersonated, as Jayachandran and sold the property to A2, A5 and A6. In the property sold to A6, the petitioner had signed as a witness to the document. Naturally, the impersonators will have to be identified. The petitioner had identified the particular executant in the document as Jayachandran. He



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knows both Jayachandran, the executant and also A1. Investigation will have to be done on all these aspects.

3. It is pointed out by the learned counsel for the petitioner that a learned Single Judge of this Court, in Crl.OP.No.1050 of 2023 arising out of very same FIR in Cr.No.259 of 2022, when informed that the petitioner was called for an enquiry, had issued guidelines that the respondent should not harass the petitioner herein. But, however, the role of the petitioner is direct. He has signed as a witness. The said order would not come to the advantage of the petitioner and it is termed *as per incuriam*.

4. Taking into all those facts into consideration, I am not inclined to grant anticipatory bail to the petitioner.

5. Accordingly, the Criminal Original Petition seeking anticipatory bail stands dismissed.

Vv

22.01.2024



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