



WEB COPY



Crl.O.P. No.30365 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.12.2024

CORAM

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

CRL OP. 30365 of 2024

PANDIYAN
S/O. KESAVAN, NO.50/87, NETHAJI SALAI,
TIRUVALLUR, TIRUVALLUR DISTRICT.

PETITIONER

Vs

THE STATE REPRESENTED BY
INSPECTOR OF POLICE, TIRUVALLUR DISTRICT.
TIRUVALLUR TOWN POLICE STATION, (CRIME
NO.554 OF 2024)

RESPONDENT

For Petitioner:

MR.R.PARTHIBAN

For Respondent:

MR. S. SANTHOSH, ADVOCATE (CRL. SIDE)



Crl.O.P. No.30365 of 2024

ORDER

WEB COPY

Apprehending arrest in connection with Crime No.554 of 2024 registered for the offences punishable under Section 318(4) of BNS, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He also submits that the petitioner is innocent and due to property dispute, a false case has been given. He also submits that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

3. The case of the prosecution, as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of bail, is that the petitioner had attempted to obtain a legal heir certificate by deleting the name of his deceased son in order to prevent his daughter in law (wife of the deceased son of the petitioner) from getting the benefits. He would further submits that based on the complaint given by the defacto complainant, the legal heir certificate has been cancelled.



4. Having heard the learned counsel for the petitioner and the learned

Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Tiruvallur**, 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 said Magistrate, on further condition that:

[a] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner 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;



CrI.O.P. No.30365 of 2024

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m for a period of two weeks and thereafter every Saturday at 10.30 a.m. until further orders.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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];

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

11.12.2024

bga



Crl.O.P. No.30365 of 2024

To

WEB COPY

1. INSPECTOR OF POLICE, TIRUVALLUR DISTRICT.
TIRUVALLUR TOWN POLICE STATION, (CRIME NO.554 OF 2024)
2. THE JUDICIAL MAGISTRATE NO.I, TIRUVALLUR



WEB COPY



Crl.O.P. No.30365 of 2024

A.D.JAGADISH CHANDIRA, J.

bga

CRL OP. 30365 of 2024

11.12.2024