

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.06.2020

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

CrI.O.P.No.9632 of 2020

1. Juzar Akbar
2. Murtaza Juzar
3. Abbas Akbarali Lokhandwala ... Petitioners

Vs.

State Rep. by
The Inspector of Police,
Tharamani Police Station,
Chennai.
Cr. No.340 of 2020 ... Respondent

Prayer: Criminal Original Petition filed under Section 438 Cr.P.C.,
praying to enlarge the petitioners on bail in the event of their
arrest in Crime No.340 of 2020 on the file of the respondent police.

For Petitioners : Mr. E. Jaikmar

For Respondent : Mr.M.Mohamed Riyaz,
Additional Public Prosecutor

O R D E R

The petitioners who apprehends apprehend arrest at the hands of
the respondent police for the offences punishable under Section 379
of IPC in Crime No.340 of 2020 seek anticipatory bail.

2. The case of the prosecution is that on 30.02.2020 the
petitioners have stolen the name boards and shutter of the shop
from the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the
petitioners are landlords and there was some dispute with the
petitioners and the defacto complainant with respect to tenancy.
Hence a false complainant was foisted against the petitioners.
Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that
on 30.02.2020 the petitioners have stolen name board and shutter of
the from the defacto complainant. Hence he opposed to grant
anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions. 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 XVIII Metropolitan Magistrate Court at Saidapet on condition that each of the petitioners shall execute a separate 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 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 daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[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 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 abscond/s, a fresh FIR can be registered under Section 229A IPC.

+sd/-

29/06/2020

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE METROPOLITAN MAGISTRATE
XVIII, SAIDAPET, CHENNAI.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

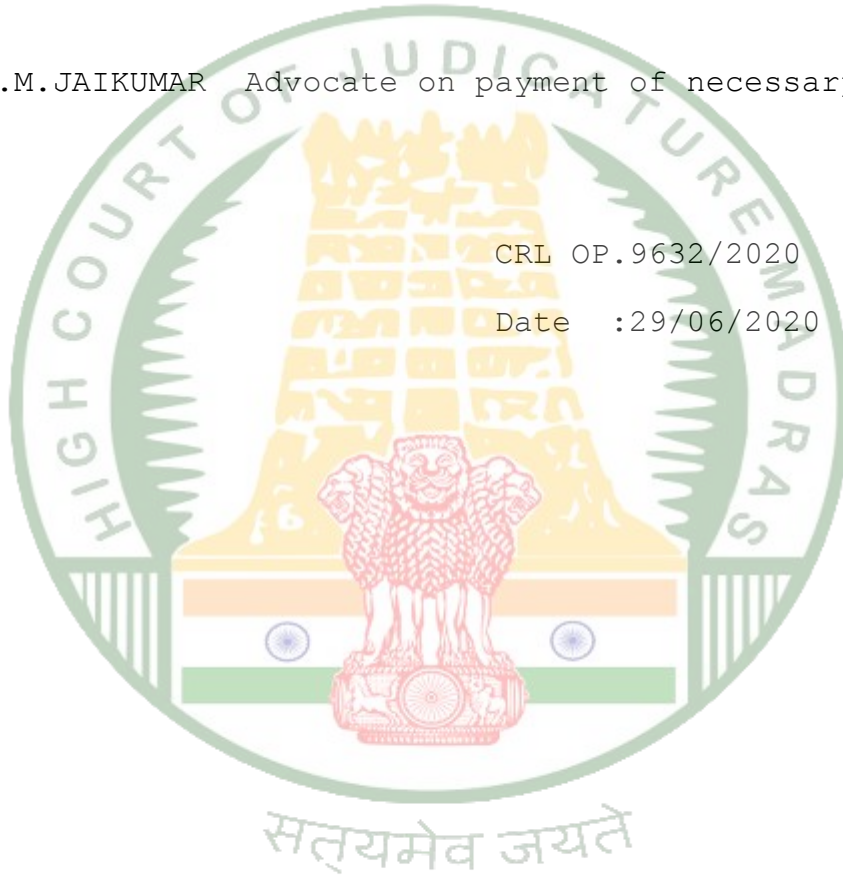
3 THE INSPECTOR OF POLICE
THARAMANI POLICE STATION,
CHENNAI.

CC to M/S.M.JAIKUMAR Advocate on payment of necessary charges

CRL OP.9632/2020

Date :29/06/2020

cs 24/07/2020



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