



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Fifth day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.13702 of 2021

SENTHIL VEERAPAN UDAYAR

[PETITIONER / ACCUSED]

Vs

STATE REP BY THE INSPECTOR OF POLICE,
C-2, PANDHAYASALAI POLICE STATION,
RACE COURSE, COIMBATORE,
CR NO .483/2021

[RESPONDENT]

For Petitioner : M/S.J.MANIKANDAN Advocate

For Respondent : Mr.C.E.Pratap Government Advocate (Crl. Side)

PETITION FOR ANTICIPATORY BAIL Under Sec. 438 Cr.P.C.

ORDER : The Court Made the following order :-

(The case has been heard through video conference)

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 347, 426, 447 and 506 (2) of IPC and in Crime No.483 of 2021 seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant were landlord and the tenant respectively. Due to dispute between the land lord and the tenant regarding rent, there was a quarrel between them. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that the right from the date of inception of tenancy, the defacto complainant was not prompt in payment of monthly rent and maintenance and was very irregular in payment of the monthly rent. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) submits that there was a civil dispute between the parties, due to which, the present complaint has filed. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.



5. Considering the facts and circumstances of the case and the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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 of receipt of a copy of this order, before the learned Judicial Magistrate, Coimbatore 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 learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner 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 petitioner shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioner 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 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]; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

-sd/-

05/08/2021

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 JUDICIAL MAGISTRATE,
COIMBATORE

2 THE CHIEF JUDICIAL MAGISTRATE
COIMBATORE (FOR INFORMATION)

3 THE INSPECTOR OF POLICE,
C-2, PANDHAYASALAI POLICE STATION,
RACE COURSE, COIMBATORE.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

CC to M/S.J.MANIKANDAN Advocate on payment of necessary charges
Sr.8210

CRL OP.13702/2021

Date :05/08/2021

RVR 18/08/2021