



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Twenty Seventh day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.15485 of 2021

PRITVI

[PETITIONER / ACCUSED]

Vs

STATE REP BY
THE INSPECTOR OF POLICE,
V-5, THIRUMANGALAM POLICE STATION,
THIRUMANGALAM, CHENNAI.
CRIME NO.584 OF 2021.

[RESPONDENT]

For Petitioner : M/S MY LORD LAW ASSOCIATES Advocate

For Respondent : M/S.C.E.PRATAP, Govt. Advocate (Crl.Side)

PETITION FOR ANTICIPATORY BAIL 438 Cr.P.C.

ORDER : The Court Made the following order :-

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 447, 468, 471, and 420 IPC in Cr.No.584 of 2021, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the land owner and the petitioner is the tenant of the property in question and there is a tenancy dispute between the petitioner and the defacto complainant. The petitioner has neither paid the rent properly nor vacated the property even after the termination notice. It is alleged in the complaint by the defacto complainant that the rental agreement was entered for running a PG Hostel for men in the year 2014. However, the petitioner has defaulted in paying the rent from May 2020 onwards. Due to which, termination notice was sent to the petitioner, even then also, the petitioner was in illegal occupation of the premises. Hence the present complaint was lodged against the petitioner.

3.The learned counsel appearing for the petitioner submitted that during the pandemic period, the Government announced lockdown and hence the hostel was under lock. At that time, the defacto complainant approached the petitioner to vacate the premises. The petitioner has requested time for two weeks and the defacto complainant also promised to repay the advance amount to the



petitioner. However, the defacto complainant, in order to harass the petitioner, has lodged a false complaint and further he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case.

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4. The learned Additional Public Prosecutor submitted that there are no previous cases against the petitioner and the investigation is pending.

5. Considering the facts and circumstances of the case, and further taking into consideration the submission of the counsel for the petitioner and further the non-payment of rent alleged being during the pandemic period and the issue being prima facie civil in nature, 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 Metropolitan Magistrate No.XIII, Egmore Court**, 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) if the petitioner failed to surrender before the concerned Magistrate within a period of 15 days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c) the petitioner shall report before the respondent police daily as and when required 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]**; and;



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

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-sd/-
27/08/2021

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 METROPOLITAN MAGISTRATE,
NO.XIII, EGMORE, CHENNAI

2 THE CHIEF METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI. [FOR INFORMATION]

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
V-5, THIRUMANGALAM POLICE STATION,
THIRUMANGALAM,
CHENNAI.

+1 CC to M/S MY LORD LAW ASSOCIATES Advocate on payment of
necessary charges SR.NO.9237

CRL OP.15485/2021

Date :27/08/2021

TA-15/09/2021