



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Eighth day of October Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice M.DHANDAPANI

CRIMINAL ORIGINAL PETITION No.17920 of 2021

1 V.LEENA DEVI [PETITIONERS / ACCUSED]
2 P.GOPALAKRISHNAN
3 P.NANDHAKUMAR

Vs

THE STATE REP BY ITS [RESPONDENT]
THE INSPECTOR OF POLICE,
J3 GUINDY POLICE STATION,
GUINDY, CHENNAI.
(CR.NO.NOT KNOWN OF 2021)

For Petitioner : M/S.R.SREERANGAN Advocate
For MR.N.R.ELANGO Senior Advocate

For Respondent : MR.A.GOPINATH, Govt. Advocate (Crl. Side)

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

ORDER : The Court Made the following order :-

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences u/s. 457, 380 of I.P.C, in Crime No. not known of 2020, in seeks anticipatory bail.

2.The case of the prosecution is that the first petitioner is the daughter of the defacto complainant. The defacto complainant purchased a flat prior to 20 years in the name of his daughter. Thereafter the petitioner threatened his father/defacto complainant to vacate the premises. Based on the complaint lodged by the defacto complainant, the respondent police registered a case.

3.The learned counsel appearing for the petitioners submits that the petitioners did not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners. Further the petitioner filed an affidavit before this Court that the petitioner will not disturb the defacto complainant's possession.



4. The learned Government Advocate (Crl.Side) submits that the civil suit is pending between the parties. Hence, he opposed grant of anticipatory bail to the petitioners .

5. In view of the affidavit filed by the petitioners that the petitioner will not disturb the possession of the defacto complainant, this Court is inclined to grant anticipatory bail to other petitioners.

6. 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 of receipt of a copy of this order, before the *Learned XXII Metropolitan Magistrate, Egmore, Chennai* on condition that the petitioners 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 petitioners 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 petitioners shall appear before the respondent police 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]*; and;

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

-sd/-

28/10/2021

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

TRUE COPY



1 THE XXII METROPOLITAN MAGISTRATE,
EGMORE, CHENNAI.

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

3 THE INSPECTOR OF POLICE,
J3 GUINDY POLICE STATION,
GUINDY, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+2CC to M/S.R.SREERANGAN Advocate on payment of necessary
charges SR.NO.12105

CRL OP.17920/2021

Date :28/10/2021

CSK 12/11/2021