



Crl.O.P.No.16977 of 2022

WEB COPY

Crl.O.P.No.16977 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections **380, 427, 448 & 454 IPC** in Crime No.212 of 2022, seek anticipatory bail.

2. The case of the prosecution is that, there was a dispute between the petitioner/landlord and the defacto complainant/tenant. On the occurrence day, the petitioner sent hooligans and broke open the portion of the defacto complainant and taken away the articles which belongs to the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that there was arrears in paying rent and hence false complaint has been lodged by the defacto complainant. However, he would further submitted that the petitioner is ready to



Crl.O.P.No.16977 of 2022

WEB COPY

deposit a sum of Rs.1,00,000/-(Rupees One Lakhs only) to the credit of crime No. 212 of 2022. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned counsel appearing for the defacto complainant would submit that there was a land lord -tenant dispute between the petitioner and the defacto complainant. Due to which, the petitioner along with hooligans trespassed into the house of the defacto complainant and taken away the jewels and good which belongs to the defacto complainant.Hence, he vehemently opposed for granting anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that a total damage caused to the defacto complainant by the petitioner was about Rs. 1 lakh cash and 5 sovereigns gold. Hence, he opposed for grant of anticipatory bail to the petitioner.



Crl.O.P.No.16977 of 2022

WEB COPY

5. Taking note of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only) to the credit of Crime No.212 of 2022, within a period of four weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on her appearance, before the learned **XV Metropolitan Magistrate, George Town Court at Chennai** on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 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.16977 of 2022

WEB COPY

[b] the petitioner shall deposit a sum of Rs 1,00,000/- (Rupees One Lakh only) to the credit of Crime No.212 of 2022, before the concerned Magistrate, within a period of four weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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



Crl.O.P.No.16977 of 2022

WEB COPY

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]**.

[h] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

21.07.2022

Sma



WEB COPY



Crl.O.P.No.16977 of 2022

G.K.ILANTHIRAIYAN, J.

Sma

Crl.O.P.No.16977 of 2022

21.07.2022