



Crl.O.P.No.17104 of 2022

Crl.O.P.No.17104 of 2022

WEB COPY

G.K.ILANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 506(ii) IPC, in Crime No.226 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioner is a tenant under the defacto complainant and he running a chartered accountant office for the past nine years and there was a tenancy dispute between them, due to which earlier on 08.02.2022 when the defacto complainant along with his brother asked rental arrears with the first petitioner, in turn the petitioners join together threatened and attacked the defacto complainant thereby he sustained injury. While that being so, one police officer came and abused the defacto complainant and taken to the police station and without proper investigation, registered case against the defacto complainant. Subsequently, on 06.06.2022, the defacto complainant went along with his wife to the office of the first petitioner, the petitioners threatened and abused him. Hence the complaint.



Crl.O.P.No.17104 of 2022

WEB COPY

3. The learned counsel for the petitioners submitted that there was no such occurrence took place and they have been falsely implicated in this case without proper enquiry. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that the petitioners all join together threatened and attacked the defacto complainant with dire consequences. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 on which the order copy made ready, before the learned 2nd Metropolitan Magistrate, Egmore, Chennai, on condition that



Crl.O.P.No.17104 of 2022

the petitioners 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 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 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



CrI.O.P.No.17104 of 2022

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 absconds, a fresh FIR can be registered under Section 229A IPC.

21.07.2022

ata



WEB COPY



Crl.O.P.No.17104 of 2022

G.K.ILANTHIRAIYAN, J.
ata

Crl.O.P.No.17104 of 2022

21.07.2022