



Crl.O.P.No.20274 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 447, 506(i), 454, 380 of IPC read with Section 3 of TN Public Property (Prevention of Damage and Loss) Act in Crime No.439 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to rental issues, on 29.07.2022, the petitioner along with rowdy elements entered into the office of the *de-facto* complainant creating a riot, broke opened the office, trespassed and stolen two lenovo laptops, two empty domestic gas cylinders, two bags of rice, one borewater pump, a sum of Rs.25,000/- and also threatened her with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and she has not committed any offence as alleged by the prosecution. Therefore, she prays to grant anticipatory bail



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to the petitioner.

4. The learned Additional Public Prosecutor appearing for the respondent would submit that due to rental issues, the petitioner along with other accused persons trespassed into the office of the *de-facto* complainant. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Additional Mahila Fast Track Court, Salem** 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



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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.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of four 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 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]**.



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

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