



Crl.O.P.No.23564 of 2022

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A.D.JAGADISH CHANDIRA,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 468, 471, 420 and 506(i) IPC in Crime No.12 of 2018, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant /trustee of Arulmigu Vilvanatheeswarar and Arulmigu Varadharaja Perumal Temple, Veppur had leased out the temple property to the petitioner and one Ravichandran for a period from 01.03.2016 to 28.02.2018. Even after completion of lease period, the petitioner and the said Ravichandran have not vacated the said premises and continued to squat upon the property by fabricating documents and when asked to vacate the accused abused with filthy language and intimidated. Hence, the present complaint.

3.The learned counsel appearing for the petitioner would



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submit that earlier, the petitioner was granted anticipatory bail by this Court in Crl.O.P.No.30920 of 2019 with condition to surrender and execute the sureties before the learned Magistrate concerned. However, due to his illness, he was not able to comply with the conditions during the Covid-19 pandemic period and there was a delay in executing the sureties. Therefore, the earlier order got lapsed. However, the petitioner is now ready to surrender and execute the sureties before the learned Magistrate concerned and deposit a sum of Rs.5,000/- to the credit of District Legal Services Authority, Cuddalore. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that even after the expiry of lease period, the petitioner and one Ravichandran have refused to vacate the premises and continued to be in possession of the property on the basis of lease deed dated 02.03.2018, which is actually a forged lease deed and also threatened the temple authorities with dire consequences. Hence, he opposed for grant of anticipatory bail to the petitioner.



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5. Taking into account that the petitioner is now ready to surrender and execute sureties before the court concerned, 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 a sum of Rs.5,000/- (Rupees Five Thousand Only) to the credit of District Legal Services Authority, Cuddalore, within a period of two 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 his appearance, before the learned Judicial Magistrate-III, Cuddalore on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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, 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



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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 appear before the respondent police daily at 10.30 a.m., on all working days before the learned Judicial Magistrate No.III, Cuddalore for a period of two weeks and thereafter, on the dates fixed by the learned Magistrate.

[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]**.

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

28.11.2022

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