



Crl.OP.No.26359 of 2022

A.D.JAGADISH CHANDIRA, J.

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The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 447, 294(b), 385, 506(ii) of IPC in Crime No.232 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the accused had threatened him stating that his bakery was constructed in a encroached land and demanded monthly mamool of Rs.10,000/-. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is a member of political party and he is also Social Worker and he had earlier filed a case before the State Human Rights Commission, Tamilnadu in SHRC.No.1210 of 2018 dated 16.10.2020 against the Inspector of Police and Others of W-12 Police Station, Chennai and N-3 Police Station, Chennai and the State Human Rights Commission has imposed compensation of Rs.1,00,000/- on the police officials and thereby, the respondent police are repeatedly filing false cases against the petitioner



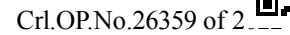
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and thereby they have instigated a bakery owner who has put up a construction in an encroached land to file false case against the petitioner. He would further submit that nobody has been injured in this case and the respondent is unnecessarily harassing the petitioner. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (CrI. Side) appearing for the respondent would submit that the petitioner is a Auto Driver by profession and he is in the habit of extracting money from the people and claimed himself to be the member of political party. Hence, he would vehemently oppose to grant anticipatory bail to the petitioner.

5. Heard the submissions made by both counsel and also perused the materials available on record including the award passed by the State Human Rights Commission, Tamilnadu in SHRC.No.1210 of 2018 dated 16.10.2020.

6. Taking into consideration the facts and the submissions and the allegations in the complaint, this Court is inclined to grant anticipatory bail with certain conditions.



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



CrI.OP.No.26359 of 2022

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

01.11.2022

Vv



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