

CRL.O.P.No.26784 of 2022WEB COPY **T.V.THAMILSELVI, J.**

The petitioner, who apprehend arrest for the alleged offence under Sections 147, 148, 294(b), 324, 506(i) of IPC in Cr.No.380 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and the defacto complainant are relatives and it is a property dispute among them. Hence, the complaint.

3.The learned counsel appearing for the petitioner submit that the petitioner has not committed any offence as alleged by the prosecution. He further submits that there is a case in counter registered against the defacto complainant and the dispute between them is civil in nature. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) submitted that the petitioner and the defacto complainant are relatives and that there is



a property dispute between them.

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5. Considering the fact that there is a case in counter, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned XVIII Metropolitan Magistrate, Saidapet, Chennai 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 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 is directed to report before the respondent police **on every Saturday at 10:30 a.m., for a period of three weeks and thereafter as and when required for interrogation.**



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

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