



Crl.O.P.No.31702 of 2022

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest for the alleged offence under Sections 294(b), 323, 354, 355 and 506(ii) of IPC in Cr.No.744 of 2021 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners had not vacated the tenancy portion belonged to the defacto complainant and also threatened the defacto complainant with dire consequences. Hence, the defacto complainant registered a case against the petitioners.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution. He would further submits that the petitioners have assured to vacate the premises but the defacto complainant threatened them with dire consequences, for which the petitioners lodged a complainant in Crime No.745 of 2021. Learned counsel prays to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) would submit that a case in counter was registered against the defacto complainant. He further submits that due to a dispute regarding the tenancy portion the petitioners threatened the defacto complainant with dire consequences. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts and circumstances of the case, 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 of receipt of a copy of this order, before the learned *XVII Metropolitan Magistrate, Saidapet, Chennai*, on condition that 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



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arrest or to the satisfaction of the learned Magistrate concerned 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report 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 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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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