



Crl.O.P.No.11498 of 2023

WEB COPY

Crl.O.P.No.11498 of 2023

K.KUMARESH BABU, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 448, 465, 468, 471, 420 & 385 of IPC in Crime No.117 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant's father had maintained his relatives properties by collecting rent and he engaged the 1st accused, who is the husband of 1st petitioner, to collect rent due to old age of de-facto complainant's father. The 1st accused entered into a lease agreement with third parties without any legal right over the properties and cheated the de-facto complainant. Hence, the de-facto complainant made a complaint and FIR was registered. Hence, the case.



Crl.O.P.No.11498 of 2023

WEB COPY

3. The learned counsel for the petitioners submitted that the 1st petitioner is the wife of 1st accused and 2nd petitioner is the mother of 1st petitioner and mother-in-law of the 1st accused. The de-facto complainant is not the original owner of the properties and he had lodged the above complaint with an evil intention to harass the petitioners and to evict them. The petitioners were falsely implicated by the de-facto complainant and they are no way connected with this case. The petitioners are innocent and they are ready to abide by any condition that may be imposed by this Court.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.



WEB COPY



Crl.O.P.No.11498 of 2023

6. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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 on which the order copy made ready, before the **learned Metropolitan Magistrate No.II, Egmore, Chennai – 600 008**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- each (Rupees Ten Thousand only) with **two sureties** 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 petitioners and the sureties shall affix their



Crl.O.P.No.11498 of 2023

photographs and Left Thumb Impression in the surety bond and the Magistrate shall obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police once in a week at 10.30 a.m. for a period of four weeks and thereafter 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].

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

18.05.2023

krk/lok



WEB COPY



Crl.O.P.No.11498 of 2023

K.KUMARESH BABU, J.,

krk / lok

Crl.O.P.No.11498 of 2023

18.05.2023