



Crl.O.P.No.11510 of 2023

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V.LAKSHMINARAYANAN. J.,

The petitioner, who apprehends arrest for the alleged offences under Sections 463, 464, 466, 468, 469 and 470 of IPC in Cr.No.587 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant (landlord) had filed R.L.T.O.P.No.465 of 2021 for non payment of rent by the petitioner (tenant) and obtained Ex-parte decree. Subsequently, the petitioner had filed Suit with the rental agreement which was forged. Hence, the defacto complainant filed a complaint before the respondent police, which was originally dejected by the police being the case was civil in nature and later got registered with the direction of the Jurisdictional Magistrate after a private complaint made by the defacto complainant. Hence, the case.

3. The learned counsel appearing for the petitioner submits that the defacto complainant is trying to vacate the petitioner without due



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process of law and in collusion with the respondent police. The petitioner is a law abiding citizen and has not committed any offence as alleged in the prosecution. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl. Side) submits that there was a civil dispute between the petitioner and the defacto complainant and the petitioner involved in forging the documents. Hence, he opposed for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case that there was a civil dispute between the parties to the prosecution and the petitioner being lady, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his/her/their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the



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learned ***XVIII Metropolitan Magistrate, Saidapet, Chennai-1*** 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 and on further condition that:

(a) if the petitioner failed to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) 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;

(c) the petitioner shall report before the respondent police as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;



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(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]*; and;

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

24.05.2023

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