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Crl.O.P.No.17610 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 457 & 380 of IPC, in Crime No. 248 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 13.06.2023, when the defacto complainant visited his farm house, the place was damaged and CCTV camera, electricity wires were cut down and silver articles, several other documents were missing along with the lease agreement, which was executed between the defacto complainant and the accused 4 and 5 was also missing. When the defacto complainant verify the CCTV footage, the look of the persons was like the handman of one Anandhar, who was roaming with the petitioner and other accused in the said FIR. Hence, the complaint.



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3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and a false complaint has been given against the petitioner. He would further submit that the petitioner is the aunty to A4 and A5 and the defacto complainant is the tenant of the A4 and A5 for the past few years. The said A4 and A5 have entered into a 11 months rental agreement with the defacto complainant and in the said rental property, the defacto complainant is having a dairy farm. While this being the matter, the defacto complainant has been polluting the surrounding and parallel neighbourhood walls by dumping wast and cow dung, even after several request made by the petitioner and other accused, the defacto complainant have never stopped his act of polluting and given a false complaint. Hence, he prays for grant of anticipatory bail to the petitioner.

The learned Government Advocate (Crl. Side) for the respondent would submit that the defacto complainant is the tenant and the petitioner is the landlord. The accused have entered into the defacto complainant's premises and caused damages. Hence, he opposed to grant



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anticipatory bail to the petitioner.

5. Taking into consideration the tenancy agreement and also the factum that the petitioner has to take only the civil action whereas he has trespassed into the premises and caused damages, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, this criminal original petition is dismissed.

11.08.2023

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