



Crl.O.P.No.17860 of 2023

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RMT.TEEKAA RAMAN,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 448, 454 and 380 of IPC, in Crime No. 181 of 2023, on the file of the respondent, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the husband of the 1st petitioner and the 2nd petitioner is the maternal uncle of the defacto complainant and the 3rd petitioner is the father-in-law of the defacto complainant. The 1st petitioner got married with the defacto complainant and due to their wedlock, the 1st petitioner gave birth of two daughters. Due to matrimonial dispute arose between them they are living separately. While so, the petitioners came and trespassed into the house of the defacto complainant and broke open the lock and took the documents. Hence, the complaint.



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3. The learned counsel appearing for the petitioner would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that initially the 1st petitioner has lodged a complaint against the defacto complainant in Crime No.153 of 2023 before the N-1, Royapuram Police Station, Chennai, and thereafter, in order wreck vengeance against the 1st petitioner, the defacto complainant lodged the false complaint. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that due to matrimonial dispute existing between the defacto complainant and the petitioners, the petitioners came and trespassed into the house of the defacto complainant and broke open the door and took the documents. He would further submit that the 1st petitioner also given a counter case in Crime No.153 of 2023. Hence, he opposed to grant anticipatory bail to the petitioners.



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5. Taking into consideration the facts and circumstances and also the submissions of the learned Counsels, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions;

6. Accordingly, the petitioners are ordered to be released on bail in the event of his arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **XVI Metropolitan Magistrate, George Town, Chennai**, on condition that the petitioners shall execute separate 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 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 photographs and Left Thumb Impression in the surety bond and the Magistrate may



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obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police every day at 10.30 a.m., for a period of two 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 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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