



Crl.O.P.No.23199 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 447, 406, 501 and 427 of IPC in Crime No.336 of 2023 on the file of the respondent police, seek anticipatory bail.

2. It is the submission of the learned counsel for the petitioners that, the petitioners have been falsely implicated as accused 1 to 3 in Crime No.336 of 2023 registered for the offences under Sections 447, 406, 501 and 427 of IPC.

3. It is also stated that the 3rd petitioner was the original owner of the property situated in Survey No.57/B/3, Kadugapattu Village, Cheyyur, Chengalpattu District. He had subsequently sold the same to the 1st and the 2nd petitioners. It is, however, stated that the defacto complainant had tried to enter into the property and grab the property. When the petitioner resisted, he had given a complaint registered as FIR in Cr. No.336 of 2023.



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4. It is also stated that the 1st petitioner had also given complaint, which was registered as FIR in Cr. No.337 of 2023 u/s.147, 148, 294(b), 323, 389, 427, 379 and 506(2) of IPC and Section 4 of TNPHW Act, 2002. It is also alleged that some documents have been created falsely.

5. Taking an over all consideration of the entire issue that arose when tried to take possession of the property, this Court is inclined to grant anticipatory bail to the petitioners, but subject to the 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 on which the order copy made ready, before the **learned Judicial Magistrate, Cheyyur** on condition that the petitioners shall execute a separate 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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

[b] the 1st petitioner shall report before the respondent Police, as and when required.

[e] the 2nd petitioner shall report before the respondent police, every day at 10.30 a.m., for a period of two weeks;

[f] the 3rd petitioner shall report before the respondent police, every day at 10.30 a.m., for a period of one week;

[g] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[h] the petitioners shall not abscond either during investigation or trial;

[i] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take



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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]**;

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

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