



Crl.OP.No.26959 of 2023

Crl.O.P.No.26959 of 2023

WEB CO **C.V.KARTHIKEYAN, J.**

The petitioners seek anticipatory bail in Crime No.488 of 2023, registered under Section 3 of Tamil Nadu Public [Prevention of Damage and Loss Act 1992], with respect to an occurrence which took place on 2.10.2023.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent.

3.The petitioners are the landlords and the de facto complainant is the tenant running an Auto Electrical Shop. It is stated that there was a dispute relating to the tenancy. A civil suit is also pending in O.S.No.171 of 2023, before the Sub Court at Vellore. Taking all these factors into consideration anticipatory bail is granted.

4.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners herein with certain conditions.

5.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**



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Judicial Magistrate No.IV, Vellore, on condition that each of 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, 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 obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] **the petitioners** to appear before the respondent **once a week at 10.30 a.m , for a period of three weeks and thereafter as and when required.**

[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



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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.

29.11.2023

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C.V.KARTHIKEYAN, J.



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