



Crl.O.P.No.6355 of 2024

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C.V.KARTHIKEYAN, J.

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 447, 323, 355 of Indian Penal Code and Section 4 of TNPHW Act in Crime No. 45 of 2024, seek anticipatory bail.

2. It is stated that the petitioners are the landlords of the premises in which the defacto complainant is residing at East Street Colony Veeramudayanatham in Cuddalore District. It is stated that these petitioners had engaged other accused to take forcible possession of the premises under the occupation of the defacto complainant. These petitioners are the landlords and the defacto complainant is a tenant.

3. The learned counsel for the petitioners states that there are rental dues. That does not imply that the petitioner should take law in their own hands. But however, let me grant anticipatory bail and place a caveat, that they can recover possession in manner known to law only by initiating necessary proceedings in appropriate Court.

4. The petitioners may also file an affidavit while seeking sureties before the learned Judicial Magistrate No.I, Chidambaram that they will take possession only through Court in manner known to law.

5. Accordingly, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 No.I, Chidambaram, on condition that the petitioners shall execute a 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 this Court 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 petitioner Nos. 1 & 4 shall appear before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation. The second petitioner shall appear before the respondent police once in a week ie., every Monday at 10.30 a.m., for a period of two wessk and thereafter as and when required. The petitioner Nos. 3 & 5 shall appear before the respondent police as and when required.



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[c] While filing affidavits, the petitioners must also disclose the other accused, who had actually tried to dispossess the defacto complainant from possession. The names and address must be disclosed by them. Failure to do so, the learned Judicial Magistrate No.I, Chidambaram, may return the sureties produced.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners 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 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]**.

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

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