



WEB COPY



Crl.O.P.No.12353 of 2024

Crl.O.P.No.12353 of 2024
and MP.No.9390 of 2024

T.V.THAMILSELVI,J.

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 294(b), 354 and 506(i) of IPC in Crime No.93 of 2024, seeks anticipatory bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated, as it is alleged that the petitioner attacked the servant maid of his step father, who is residing in the first floor of the house. He further submit that there is already a property dispute between the petitioner and his step father, Girirajan, for which, a servant maid, had given a false complaint against him. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that there is already a property dispute between the petitioner and his step father, Girirajan. On the date of occurrence, three persons came to see his step father, at the instigation of Girirajan, the defacto



CrI.O.P.No.12353 of 2024

complainant sent them and locked the main road, at that time, the petitioner assaulted her, abused her with filthy language and also attacked her on her stomach, thereby she sustained injury and was admitted in the hospital. He further submitted that his step father who claimed absolute right over the property is residing on the first floor, and his son / the petitioner herein, is living on the ground floor. He further submitted that his step father approached RDO and obtained an order not to cause any interference to him. He further submitted that since the property stands in the name of his mother, who is the second wife of his step father, the petitioner is causing disturbance to his step father. However, he vehemently opposed for the grant of anticipatory bail to the petitioner.

4. Learned counsel for the intervenor raised objection stating that the petitioner is causing all sorts of annoyance to his step father. On an earlier occasion, he was implicated as accused and thereafter he attempted to prevent the step father from living on the first floor and also causing disturbance to him, for which, a complaint was given.

5. Taking into consideration the facts and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory



CrI.O.P.No.12353 of 2024

bail to the petitioner with certain conditions.

WEB COPY

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned XVII Metropolitan Magistrate, Saidapet, Chennai*, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, (out of which, one surety must be a blood related surety) 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 and on further condition that:

(a) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of eight weeks and thereafter as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;



WEB COPY



CrI.O.P.No.12353 of 2024

T.V.THAMILSELVI, J.

drl

[d] the petitioner 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 has been imposed and the petitioner is 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]***; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

22.07.2024

drl

CrI.O.P.No.12353 of 2024