



Crl.O.P.No.12845 of 2024

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S.SOUNTHAR, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 427 & 506(i) of the Indian Penal Code in Crime No.107 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner is a tenant under the defacto complainant - one Mr.Mohan and that the petitioner even after the expiry of the rental agreement, failed to vacate the premises and had also not paid rent for about 20 months. There had been a rent control proceedings pending between the parties, while so on 25.1.2024, the petitioner locked the common toilet in the subject premises obstructing the movement of the other tenants and also threatened the de-facto complainant with an iron rod. Hence the complaint.

3. The learned counsel for the petitioner stated that the petitioner is an innocent person and that he has been falsely implicated in Crime No.107 of 2024 registered by the respondent Police. Thus, he seeks anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal side) accepting notice for the respondent submits that the de-facto complainant has not suffered any serious injuries in this regard.

5. Having regard to the nature of allegations made against the petitioner, and the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail, in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy is made ready, before the **learned Judicial Magistrate No.1, Chengalpattu** on condition that 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 petitioner 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 shall report before the



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respondent police everyday at 10.30.a.m., until further orders.

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

[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 have 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]**;

[f] If the petitioner thereafter absconds, a fresh FIR can be registered under Section 229A of the Indian Penal Code.

29.05.2024

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