



Crl.O.P.No.16237 of 2024

C.V.KARTHIKEYAN, J.

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The petitioners who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 341, 294(b), 323, 324, 427, 448 and 506(ii) of IPC in Crime No.197 of 2023 on the file of the respondent seek anticipatory bail.

2. The petitioners had earlier filed a petition seeking anticipatory bail in Crl.O.P.No.25554 of 2023. When the said petition came up for hearing on 08.11.2023, an interim protection was granted on condition that the petitioners 1 to 4 should give a letter of undertaking that they would not disturb the peaceful possession of the defacto complainant. When the matter again came up for hearing on 13.02.2024, it was observed that such undertaking letter had not been given. Therefore, the earlier anticipatory bail application was dismissed.

3. It is stated by the learned counsel for the petitioners that the petitioners also have a share in the property and that an undivided portion of the property vests with them as a matter of right. Therefore, it is not possible for them to give such a letter of undertaking. Otherwise, they would be ousted from possession.



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4. These facts may be appreciated by the learned XIV Metropolitan Magistrate, Egmore, Chennai. It is also informed that a final report had been filed, wherein it had been stated that notice has been issued under Section 41(A) of Cr.P.C to the present petitioners. In view of these facts, it is only appropriate that the petitioners surrender before XIV Metropolitan Magistrate, Egmore, Chennai and orders must be passed on the same day of such surrender by XIV Metropolitan Magistrate, Egmore, Chennai.

5. In view of the above observations, this Criminal Original Petition stands dismissed.

18.07.2024

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