



Crl.O.P.No.29572 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.0005 of 2024 registered for the offences punishable under Sections 34, 420, 468 and 471 of IPC, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution as per the defacto complainant Singaravelu is that, he is the owner of the premises, which is situated at No.211, Kalatheeswaran Koil Street, Puducherry. The accused was a tenant and he had been not vacating the premises, later, defacto complainant came to know that the accused has obtained extension of liquor license, by forging the signature in the No Objection Certificate and when it was questioned, the accused intimidated him. Hence the case.

3. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He would submit that the petitioner had entered a lease agreement with the defacto complainant for 25 years. The defacto complainant had compelled the petitioner to vacate the premises and since there was a dispute, he has given false complaint, as if, the petitioner has forged the signature in the No Objection



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Certificate. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.

4. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, would submit that, the petitioner is a tenant in the premises of the defacto complainant. He would submit that the defacto complainant has not given NOC for extension of license and the petitioner based on forged NOC and rental agreement has extended the lease. He would further submit that the investigation is still pending.

5. Having heard the learned counsel for the petitioner, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, and the submissions that, the entire case is borne out by the records, 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 made ready, before the learned **Chief Judicial Magistrate, Puducherry**, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** with two sureties, each for a like sum to the satisfaction of the respondent police or the police



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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 his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, on every Saturday 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 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 accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

03.12.2024

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