



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.OP.No.2862 of 2025

1.Akbar Shariff
S/o.Haasan Shariff

2.Imran Khan
S/o.Seeni Sulthan Thulkarunai

3.Ameer Khan
S/o.Iqbal

... Petitioners /Accused 2-4

Vs.

State Rep. by
The Inspector of Police,
Sankar Nagar Police Station,
Sankar Nagar, Chennai.

... Respondent/ Complainant

(Cr.No.668 of 2024)

Prayer: Criminal Original Petition filed under Section 482 of Bharatiya Nyaya Sanhita, 2023, to grant anticipatory bail to the petitioners, in the event of his arrest, concerned in Crime No.668 of 2024, on the file of the respondent police.



WEB COPY

Crl.OP.No.2862 of 2



For petitioners : Mr.S.Madhusudanan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)

ORDER

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 406, 420 and 506(i) of IPC, in Crime No.668 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that one Vijay/defacto complainant entered into a Lease Agreement with A1 and took his house on rent by paying a lease amount of Rs.7,00,000/- during 2023 and that on 12.09.2024, the officials from Cholamandalam Finance Company affixed a notice in the property stating that A1 had mortgaged the property, obtained loan and defaulted in payment of loan and that the tenant, namely the defacto complainant has to vacate the premises. Hence, the case.

3.The learned counsel for the petitioners would submit that A1 admittedly had entered into a Lease Agreement and he has been arrested and is in custody. The petitioners do not have any relationship with the defacto



complainant and in any case, the case is borne out by records and custodial interrogation of the petitioners is not required. Hence, he prays for grant of anticipatory bail to the petitioners.

4.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

5.Considering the nature of allegations and that custodial interrogation of the petitioners is not required for the purposes of investigation, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy was made ready, before the learned **Judicial Magistrate, Pallavaram, Chennai**, on condition that the petitioners shall execute 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 the said Magistrate, on further condition that:



[a] 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 petitioners shall report before the respondent Police, everyday at 10.30 a.m., until further orders;

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness 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 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*** reported in [(2005)AIR SCW 5560];

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of B.N.S.

06.02.2025

ata



WEB COPY

1. The Inspector of Police,
MGR Nagar Police Station,
Chennai
2. The Judicial Magistrate, Pallavaram, Chennai.,
3. The Public Prosecutor,
Madras High Court,
Chennai.



WEB COPY

Crl.OP.No.2862 of 2



SUNDER MOHAN, J.
ata

Crl.OP.No.2862 of 2025

06.02.2025