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CRL OP NO. 21431 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2025

CORAM

THE HONOURABLE MRS JUSTICE T.V.THAMILSELVI

CRL OP NO. 21431 of 2024

A Murugesan
Son of Mr.Andiappan No. 4/10, Yoga Anjaniyar
Street, Srinivasa Nagar, Kallikuppam, Ambattur,
Thiruvallur District - 600 053

Petitioner(s)

Vs

The State represented by
The Inspector of Police, Avadi City Crime Branch
Police Station, Avadi City CCB, Thiruvallur District
(Crime No. 39/2024)

Respondent(s)

For Petitioner(s): Ramkumar J

For Respondent(s): V.Meganathan, Government Advocate (crl. Side)

ORDER

Apprehending arrest in connection with Crime No.39 of 2024 registered for the offences punishable under Sections 468, 468, 467, 471, 420 & 120B IPC, the present petition has been filed seeking anticipatory bail.

2. Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this Court. He further submits that there was property dispute between the petitioner and the de-facto complainant. He would further submit that the co-accused have been arrested and



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released on bail. He would further submit the petitioner is ready to abide by any stringent condition that may be imposed by this court.

3. The case of the prosecution, as put forth by the learned Government Advocate (Criminal Side) appearing for the respondent police, while opposing for grant of anticipatory bail, is that the petitioner had trespassed into the land which belongs to the de-facto complainant and put up a hut and the same was removed by the accused later, and the vacant possession was handed over to the de-facto complainant. He further submits that there is no previous case pending against the petitioner. He further submits that investigation has also been completed.

4. Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions and accordingly, he 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 of receipt of a copy of this order, before the learned **Judicial Magistrate No.I, Poonamallee, Thiruvallur District**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two



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sureties [Out of two sureties, one should be blood surety] 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] if the petitioner fails to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] 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;

[c] the petitioner shall report before the respondent Police alternative days at 10.30 am for a period of three months.

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

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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



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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];

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

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