

CRL.O.P.No.15003 of 2016

S.VAIDYANATHAN, J.

The petitioner, who was arrested and remanded to judicial custody on 24.06.2016 for the alleged offences punishable under Sections 447, 427, 294(b) and 387 of IPC in Crime No.557 of 2016 on the file of the respondent police, **seeks bail.**

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side).

3. The petitioner is arrayed as A7 in this case. The case of the prosecution is that the petitioner along with other accused are alleged to have trespassed into the property of the defacto complainant with a JCB machine and caused damage to his property and threatened him with dire consequences.

4. Learned counsel for the petitioner submitted that he has not committed any offence and a false case has been foisted against him. He further submitted that he is in custody for more than 25 days and that he may be released on bail.

5. Learned Government Advocate (Crl. Side) submitted that investigation is pending in this case and opposed for grant of bail to the petitioner.

6. Considering the facts and circumstances of the case and taking note of the period of incarceration of the petitioner, **the petitioner is ordered to be released on bail subject to the following conditions:**

(i) the petitioner shall execute a 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 Judicial Magistrate No.II, Kancheepuram.

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(ii) the petitioner is directed to appear before the respondent police daily at 10.30 a.m. until further orders;

(iii) the petitioner shall not tamper with the evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial;

(v) on breach of any of the aforesaid conditions, the 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 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]**.

20.07.2016

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