

CRL.O.P.No.15265 of 2016**S.VAIDYANATHAN,J.**

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 447, 294(b) and 506(ii) r/w. Section 3 of PPD Act in Crime No.219 of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

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

3. The case of the prosecution is that due to land dispute, the petitioner is alleged to have damaged the pipe line worth about Rs.50,000/-, which is used for agricultural purposes.

4. It is the case of the petitioner that he is innocent and has been falsely implicated in this case.

5. Learned Government Advocate (Crl. Side) submitted that there is no previous case against the petitioner.

6. Considering the facts and circumstances of the case and also taking note of the fact that the petitioner is willing to abide by any condition, this Court is of the view that custodial interrogation of the petitioner is not necessary. Therefore, this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial

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Magistrate, Dharapuram, Tiruppur District, subject to the following conditions:

(i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees One Lakh only) 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 Magistrate concerned;

(ii) the petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.219 of 2016 within a period of 15 days from the date of receipt of a copy of this order;

(iii) the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

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

(v) the petitioner shall not abscond either during investigation or trial.

(vi) 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]**.

21.07.2016

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