

CRL.O.P.No.15829 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 447,294(b), 387 I.P.C. R/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998 in Crime No.604 of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused is alleged to have entered into the property of the defacto complainant and caused damage to his property and threatened him.

3. Learned counsel for the petitioner submitted that the petitioner did not involve in the alleged offence. He further submitted that co-accused was granted anticipatory bail.

4. Learned Government Advocate (Crl. Side) submitted that it is a land dispute and the petitioner trespassed and damaged the crops of the defacto complainant and opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also taking note of the fact that co-accused was granted anticipatory bail, this court is inclined to grant anticipatory bail to the petitioner. 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 learned **Judicial Magistrate No.II, Kancheepuram**, on his executing 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 respondent police or the police officer who intends to arrest or to the satisfaction of the Magistrate concerned and on further conditions that:

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[a] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[b] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner shall not abscond either during investigation or trial.

[d] 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 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]**.

27.07.2016

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