



**Crl.O.P.No.10560 of 2022**

**G.CHANDRASEKHARAN, J.**

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The petitioner, who apprehends arrest for the alleged offences under Section 353 IPC in Crime No.96 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that when the defacto complainant/Advocate Commissioner, appointed by the Court, inspected the disputed land on 19.03.2022 along with Surveyor and Village Administrative Officer, petitioner is alleged to have obstructed the defacto complainant and restrained him from discharging his official duty.

3. The learned counsel for the petitioner submits that the petitioner has innocently obstructed the defacto complainant without knowing the role of the Advocate Commissioner.

4. Considering the submission of the learned counsel for the petitioner and the facts and circumstances of the case, this Court is of the considered view that custodial interrogation of the petitioner is not



necessary and accordingly, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the **Judicial Magistrate No.I, Attur** on condition that the petitioner shall execute a bond for a sum of Rs.25,000/-only (Rupees Twenty Five 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 learned Magistrate concerned and on further condition that:

(a) the petitioner and the sureties shall affix his photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

(c) the petitioner shall report before the Investigating Officer daily at 10.30 a.m until further orders.



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(d) the petitioner shall not abscond 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 has been imposed and the petitioner 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 [(2005) AIR SCW 5560]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

**05.05.2022**

*vri/sr*



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