



CrI.O.P.No.19806 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 447, 294(b) and 506(ii) of IPC r/w Section 4 of WH Act and Section 3 of TNPPDL Act, in Crime No.651 of 2022, seek anticipatory bail.

2. The case of the prosecution is that due to land dispute, the petitioners abused the defacto complainant. It is further alleged that the petitioners damaged the pipeline to the worth of Rs.1000/-, in the land of the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are the innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are ready to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime No.651 of 2022. Therefore, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl.Side) would submit that there was a land dispute between the petitioners and the defacto complainant, due to which, the petitioners damaged the pipeline to the worth of Rs.1000/-, in the land of the defacto complainant. He further submitted that the first petitioner is having 6 previous cases pending against him. The second and third petitioners are having no previous cases against them. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and the submissions made by the learned counsels, the first petitioner is having 6 previous cases pending against him. Hence, this petition is dismissed as against the 1st petitioner and this Court is inclined to grant anticipatory bail to the 2nd and 3rd petitioners with certain conditions.

6. Accordingly, the 2nd and 3rd petitioners are directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) **each** to the credit of Crime No.651 of 2022, within a period of two weeks from the date on which the order copy made ready and on such deposit the 2nd and 3rd



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petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate Court-II, Ponneri, on condition that 2nd and 3rd petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the 2nd and 3rd petitioners 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.

[b] the 2nd and 3rd petitioners shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) **each** to the credit of Crime No.651 of 2022, before the concerned Magistrate, within a period of two weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.



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[d] the 2nd and 3rd petitioners 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.

[e] the 2nd and 3rd petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] the 2nd and 3rd petitioners shall not abscond either during investigation or trial.

[g] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the 2nd and 3rd petitioners in accordance with law as if the conditions have been imposed and the 2nd and 3rd petitioners 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]**.

[h] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

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