

Crl.O.P.No.32248 of 2022

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 147, 148, 341, 448, 506(ii) IPC r/w Section 25(1B)(a) of Arms Act in Cr.No.216 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant namely one Shadik Basha is working as a News reporter at Makkal Panchayath, a weekly magazine. He went to the office of the Tahsildar and lodged a complaint regarding encroachment and selling of Poramboke land near Ramji Nagar. Thereafter, it is alleged that the petitioner called the defacto complainant and threatened him with dire consequences. Subsequently, A1 namely one Lenin and he along with henchmen went to the house of the defacto complainant and gave life threat. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that he is an innocent person and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner went to the office of the Tahsildar and lodged a complaint regarding encroachment and selling of Poramboke land near Ramji Nagar. Thereafter, it is alleged that the petitioner called the defacto complainant and threatened him with dire consequences. Hence, he vehemently opposed for grant of anticipatory bail.

5. Considering the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **District Munsif Cum Judicial Magistrate Court, Sriperumbudur** on condition that the petitioner shall execute 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 learned Magistrate concerned and on



further condition that:

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(a)the petitioner and the sureties shall affix their 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 report before the learned Magistrate concerned every Wednesday at 10.30 a.m., for a period of six weeks and thereafter, appear on all hearing dates;

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

(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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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.

23.12.2022

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4

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