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Crl.O.P.No.1431 of 2023

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest for the alleged offence punishable under Sections 147, 447, 153-A and 506(i) of IPC in Crime No.12 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant/Kathiravan is the Village Administrative Officer of Veppur Village, Rasathupuram, Walajah Taluk, Ranipet District. Based on the orders of the Wakf Board, patta for Survey Nos. Nos.402/6, 402/7 and 408/8 situate at Veppur Village, Walajah Taluk, Ranipet District were allotted to Muslim community for constructing house. It is alleged that the petitioners had intervened and claimed that the aforesaid land belongs to them and stood as hindrance in performing VAO's official duty. Hence, the complaint.

3. The learned counsel appearing for the petitioners submit that the



petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that all a sudden, the VAO without any prior intimation had allotted the petitioner's land to the Muslim community and while the same was questioned by the petitioners there arose commotion. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that the defacto complainant/Kathiravan is the Village Administrative Officer of Veppur Village, Rasathupuram, Walajah Taluk, Ranipet District. Based on the orders of the Wakf Board, patta for Survey Nos. Nos.402/6, 402/7 and 408/8 situate at Veppur Village, Walajah Taluk, Ranipet District were allotted to Muslim community for constructing house. It is alleged that the petitioners had intervened and claimed that the aforesaid land belongs to them and stood has hindrance in performing VAO's official duty. Hence, he opposed for grant of anticipatory bail to the petitioners.



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5. Considering the facts and circumstances of the case and the submissions made by the both counsel and investigation almost completed, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on thier appearance before the **learned Judicial Magistrate, Arcot, Ranipet District** on condition that each of the petitioners 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the 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.



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[b] the petitioners are directed to report before the respondent police on every Saturday at 10.30 a.m., for a period of eight weeks and thereafter as and when required for interrogation and directed not to create any communal violence.

[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 petitioners in accordance with law as if the conditions have been imposed and the 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];**

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

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