

Crl.O.P.No.2510 of 2023

T.V.THAMILSELVI, J.

The petitioners who apprehend arrest for the alleged offence under Sections 193, 465, 468, 471 and 420 of IPC in Cr.No.2 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with other accused alleged to have been involved in the land grabbing. Hence, the law enforcing agency registered a case against the petitioners.

3.The learned counsel appearing for the petitioners would submit that the first petitioner/A1 filed a suit in O.S.No.223 of 2021 before the learned Additional Sub-Court, Hosur for claiming partition and other consequential relief against the defendants. During the pendency of the said suit, third and fourth defendants sold the property to one Ashok Kumar/ defacto complainant. He further submitted that defacto complainant attempted to take possession of the property by using the influence of higher authorities and also filed a false complaint against these petitioners. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.



4.The learned **Government Advocate (Crl side)** submits that

1st petitioner had filed a suit in O.S.No.223 of 2021 before the learned Additional Sub-Court, Hosur. He would further submit that there is an earlier civil dispute pending between the parties. However, he vehemently oppose for granting anticipatory bail to the petitioners.

5. Considering the fact that there is a civil dispute pending between the parties and directed them to workout their remedies before the concerned Civil Court. Hence, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the 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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Special Court under Land Grabbing Act, Krishnagiri.**, on condition that the petitioners shall execute a 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the 1st shall report before the respondent police as and when required for interrogation;

(c) the 2nd petitioner shall appear before the respondent police on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation;

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

(d) the petitioners 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]***; and;



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

09.02.2023

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To

The Judicial Magistrate,
Special Court under Land Grabbing Act,
Krishnagiri.

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