



Crl.O.P.No.3508 of 2023

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T.V.THAMILSELVI, J.

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The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 457, 427, 506(ii) of I.P.C, in Crime No.47 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused trespassed into the property of the de-facto complainant, damaged his fencing with the help of JCB and intimidated him with dire consequences. Hence, the complaint.

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

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner along with other accused trespassed into the property of the de-facto complainant, damaged his fencing with the help



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of JCB and intimidated him with dire consequences. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the submission made by the learned Government Advocate (Crl.Side) and investigation almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on 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 **Judicial Magistrate Court No-II, Thiruvallur** on condition that the each 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:

[a] the petitioner 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 petitioner shall report before the respondent police every Wednesday at 10.30 a.m., for a period of two months and thereafter as and when required for interrogation;

[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 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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16.02.2023



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