

Crl.O.P.No.4004 of 2023

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Section 294(b), 427 and 506(1) of IPC in Cr.No.13 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was civil dispute between the petitioner's family and the defacto complainant family. On 28.01.2023, the petitioner along with her brother had damaged the pipe line, which was situated in the defacto complainant's land and also threatened her. Thereby, the law enforcing agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and she has been falsely implicated in this case. He further submits that due to previous enmity, the defacto complainant had given a false complaint. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the



respondent submits that there was civil dispute between the petitioner's family and the defacto complainant family. On 28.01.2023, the petitioner along with her brother had damaged the pipe line, which was situated in the defacto complainant's land and also threatened he dire consequence. Hence, he vehemently oppose to grant anticipatory bail to the petitioner.

5. Considering the fact that there was civil dispute between them, 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 her appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned *Judicial Magistrate III, Tirupattur, Vellore District*, 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:

(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 respondent police every Wednesday at 10.30 a.m. for a period of four weeks 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 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.

28.02.2023

gbi



WEB COPY



4

Crl.O.P.No.4004 of 2023

T.V.THAMILSELVI, J.

gbi

Crl.O.P.No.4004 of 2023

28.02.2023