



**Crl.OP.No.8775 of 2023**

**S.SOUNTHAR, J**

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The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 353, 506(1) of IPC in Crime No.92 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the revenue officials were removed the encroachment, the petitioners and another were prevented the defacto complainant (VAO) and other Government official for discharging their duty. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners have not committed any such offence as alleged by the prosecution. He would further submit that the petitioners and others are in possession and enjoying the Pond Porampok land nearby Kanniyampadi Puthur Pond situated at Kanniyambadi village in S.No.288 measuring to an extent of 20 cents for several yeas, now the Panchayat President has issued notice to the petitioner and others without giving proper opportunity due election motive. Hence, some of the encroachers were approached this court and got time for vacating the encroachment land. In the meanwhile, the defacto complainant and others were tried to vacate the encroachment.



Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that the the revenue officials were removed the encroachment, the petitioners and another were prevented the defacto complainant (VAO) and other Government official for discharging their duty. He would further submit that A1 already arrested and enlarged on bail. However, he would vehemently oppose to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Having regard to the allegations made against petitioners in an FIR and also the submissions made by both counsel, this Court is inclined to grant anticipatory bail with certain conditions.

7. 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 on which the order copy made ready, before the ***learned Judicial Magistrate-I, Vellore- District*** on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, each for a like sum to the



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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 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.

**[b] the petitioner shall stay at Trichy and report before the Chatthiram Police Station every day at 10.30 a.m., for a period of two weeks.**

[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]**.



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

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