



Crl.O.P.No.12506 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 427, 380, 506(i) of IPC in Crime No.134 of 2023, seek anticipatory bail.

2. The case of the prosecution is that due to land dispute, the petitioners have abused and assaulted the defacto complainant and also caused damaged to the name board foodscape. Hence, the complaint.

3. The learned counsel for the petitioners would submit that a civil dispute is pending between the defacto complainant and the petitioner. He further submitted that the defacto complainant's son had taken the property on lease and thereafter without paying the lease amount he had gone away from the place of business and now he has given a false complaint as if the petitioner has committed the theft and they have also threatened him. He would further submit that on the complaint given by the petitioner's side, a counter case in Cr.No.134 of 2023 has been



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registered against the defacto complainant's side and thereby, he would seek for anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that on account of property dispute there was a frequent quarrel between them resulting in case and counter case being registered between the parties. Hence, he object for grant of anticipatory bail to the petitioners.

5. The learned counsel for the intervener would submit that the defacto complainant's son had taken the property on lease and the accused had illegally convicted the defacto complainant's son and also caused damage to the business establishment and name board and also removed certain articles from the lease premises. Hence, he opposed for grant of anticipatory bail to the petitioners.

6. Heard the learned counsel and perused the entire materials



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available on record including the First Information Report.

6.Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court is inclined to grant bail to the petitioners 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 No.II, Alandur 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



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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 petitioners shall report before the respondent police everyday at 6.30 p.m., until further orders.

[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]**;

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



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