



Crl.O.P.No.16127 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners namely Senthil Raja and Tiruppathi who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 379, 506(i) of IPC in Crime No.155 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioners submitted that, petitioners are innocent persons and due to previous enmity, defacto complainant gave a false and exaggerated complaint against the petitioners, on the basis of which, FIR was registered in Crime No.155 of 2023 for the offences under Sections 294(b), 323, 379, 506(i) of IPC. Apprehending arrest, this petition is filed.

3. In response, learned Government Advocate (Crl. Side) submitted that, defacto complainant and the accused are close relatives. There is a property dispute between them. On 17.06.2023 at about 03.30.p.m., defacto complainant was trying to level the land using JCB, at that time, accused came there and scolded in filthy language. Accused



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Senthil Raja had snatched 1 ½ sovereigns of gold chain from defacto complainant's son.

4. Considering the nature, facts and circumstances of the case and the allegations made against the petitioners in the FIR and the fact that the parties are close relatives and there is a property dispute between them and that material part of the investigation might have been over by this time, this Court is inclined to grant anticipatory bail to the petitioners for the reason that custodial interrogation of the petitioners is not necessary.

5. Accordingly, 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 Chief Judicial Magistrate, Krishnagiri** on condition that the petitioners shall execute separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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



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which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] 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 petitioners shall report before the respondent police daily at 10.30.a.m., until further orders

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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].



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[f] If the accused thereafter absconds, a fresh

FIR can be registered under Section 229A IPC.

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