



CrI.O.P.No.17158 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner/A5, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 447, 294(b), 323, 324, 204, 506(i) of I.P.C, in Crime No.193 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution as per the defacto complainant/ Ramamoorthy is that on 09.12.2021, at about 11.00 hrs, he is doing seasonal crops in his land in his land to an extent of 3.60 acres situated at Nanneri Village, at that time, the accused persons were trespassed into his land and prevented him from doing agricultural works and also asked him to vacate the land, if he failed to do so, they will do away his life. The further allegation is that in continuation of the quarrel, A1 attacked him by using spade on his shoulder and A2 try to attack his driver and A4 fisted on his chest and other accused persons including the petitioner were threatened him to do away, if he failed to vacate the land and he raised alarm, on hearing his alarm, the neighbours were rushed there, on



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seeing them, they were escaped from the scene of occurrence. Hence the case.

3. The learned counsel for the petitioner submitted that the petitioner is an innocent person and due to previous enmtiy, he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent condition that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent submitted that due to previous enmity, the petitioner along with other accused trespassed into the land of the defacto complainant, abused him and assaulted him and also threatened him. He further submitted that there are seven previous cases pending against the petitioner, out of which, five cases are similar in nature. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on



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record including the FIR.

6. Taking into consideration the facts and the submissions made by the learned counsel on either side and also of the fact that the specific overtact attributed as against the petitioner is that he made a criminal intimidation, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is 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.III, Tirupattur**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.5,000/- (Rupees 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 which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[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 report before the respondent Police, everyday at 10.30 a.m., for a period of three 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 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 abscond, a fresh FIR



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can be registered under Section 229A IPC.

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