



Crl.O.P.No.23307 of 2023

Crl.O.P.No.23307 of 2023

C.V.KARTHIKEYAN, J.

The petitioner/A2 seeks anticipatory bail in Crime No.366 of 2023, registered by the respondent Police for the offence under Sections 147, 148, 447, 427, 294(b) and 506(ii) IPC.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

3. It is stated that there was a dispute between the family of the petitioner and the family of the defacto complainant. It is alleged that the family members of the accused had cut down 300 nos. of Guava trees and caused damages due to previous enmity.

4. In view of these facts and also because, A1 had been granted bail in Crl.OP.No.2586 of 2022 by an order dated 26.8.2022 by the Trial Court and A5 had been granted anticipatory bail in Crl.OP.No.15693 of 2023, anticipatory bail is granted to the petitioner/A2 herein, on condition that the petitioner shall deposit a sum of Rs.25,000/- to the credit of Crime No.366 of 2022 and on such deposit, the learned Judicial Magistrate may hand over the said money to the defacto complainant.

4. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner/A2 subject to the following conditions:



Crl.O.P.No.23307 of 2023

WEB COPY

5. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned Judicial Magistrate Court No.II, Ulundurpet**, 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, 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/A2 herein, on condition shall deposit a sum of **Rs.25,000/- to the credit of Crime No.366 of 2022** and on such deposit, the learned Judicial Magistrate may hand over the said money **to the defacto complainant** and the petitioner shall also report before the respondent police once in a week for a period of **three 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



Crl.O.P.No.23307 of 2023

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]**.

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

18.10.2023

kp



WEB COPY



Crl.O.P.No.23307 of 2023

C.V.KARTHIKEYAN, J.

kp

Crl.O.P.No.23307 of 2023

18.10.2023