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Crl.O.P.No.24739 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners herein seek anticipatory bail in Crime No.262 of 2023 registered by the respondent Police for the offences under Sections 447, 427, 294(b) and 506(i) IPC.

2. The learned counsel for the petitioners stated that the petitioners are innocent persons and they have been falsely implicated in a case in Crime No.262 of 2023 registered by the respondent Police for the offences under Sections 447, 427, 294(b) and 506(i) IPC, for an occurrence which had taken place on 16.10.2023. Thus, he seeks anticipatory bail to the petitioners.

3. It is stated by the learned Government Advocate (Crl.Side) that, the petitioner and the defacto complainant are neighbouring land owners and there was a dispute over the fence. It is alleged that the petitioner had damaged the fence. Thus, he prays for dismissal of this petition.

4. Taking into consideration the factors, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



Crl.O.P.No.24739 of 2023

WEB COPY

5. 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 Court, Dharapuram**, on condition that the petitioner shall execute a separate 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 in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] (i) the 2nd and 3rd petitioners shall report before the respondent police daily at 10.00.a.m., for a period of two weeks and thereafter, as and when required by the respondent police.

(ii) the 1st and 4th petitioners shall report before the respondent police once a week at 10.00.a.m., for a period of two weeks and thereafter, as and when required by the respondent police.



CrI.O.P.No.24739 of 2023

WEB COPY

[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;

31.10.2023

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Crl.O.P.No.24739 of 2023

31.10.2023