



Crl.O.P.No.25217 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners, who apprehends arrest for the alleged offences punishable under Sections 448, 454, 380 and 34 IPC, in Crime No.356 of 2023, on the file of the respondent police, seek anticipatory bail.

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

3.It is stated that between the family members of the petitioners herein and the family members of the defacto complainant, there is a dispute relating to which a suit has also been filed and is pending. It is the case of the prosecution that the petitioners had trespassed into the land of the defacto complainant and had broken the lock and the hard disk of CCTV. It is stated that there are three previous cases against the petitioners.

4.However, taking into consideration that a civil dispute had escalated into violence leading to lodging of complaint and registration of FIR, this Court is inclined to grant anticipatory bail to the petitioners.



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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 **Judicial Magistrate No.I, Tirupathur**, on condition that the petitioners 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] the first petitioner shall report before the respondent police daily morning at 10.00 a.m., for a period of three weeks and thereafter as and when required for interrogation. The second and third petitioners shall report before the respondent police once in a week i.e., every Monday morning at 10.00 a.m., for a period of three weeks and thereafter as and when required for interrogation.



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[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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