



Crl.OP.No.25756 of 2023

Crl.O.P.No.25756 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner seeks anticipatory bail in Crime No.79 of 2023 registered by the respondent police for the offences punishable under Sections 147, 447, 506(2) of IPC. The petitioner is the fourth accused.

2. It is the case of the prosecution that all the accused had entered into the land of the defacto complainant and threatened him to sell the land.

3. The learned counsel for the petitioner stated that A1 had already filed a suit in O.S.No.58 of 2022, now pending before the Sub Court at Tiruchengode, wherein, the defendant therein/defacto complainant had agreed to sell the land .



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4. However that would not give right to the accused to threat the defacto complainant to sell the land. It is informed that A1, A3 and A5 had been granted anticipatory bail.

5. In view of those facts, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

6. 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, Kumarapalayam, Namakkal District* on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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 herein must give an undertaking affidavit before the learned Judicial Magistrate, Kumarapalayam, Namakkal District that he will not entered into the land of the defacto complainant and not entered into any dispute regarding sale of the defacto complainant's land.

[c] the petitioner shall report before the respondent police everyday at 10.30 a.m 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 in accordance with law as if the conditions have been imposed



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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.

10.11.2023

Vv



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10.11.2023