



Crl.O.P.No.26251 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A8, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 147, 294(b), 363, 323, 324, 387 and 506(i) of IPC, in Crime No.285 of 2023, seeks anticipatory bail.

2. It is the case of the respondent that the defacto complainant had leased out 5 acres of agricultural land to A1. A1 cultivated watermelon and started using insecticide and pesticide.

3. The grievance of the defacto complainant is that by such usage, the soil would become worst. This led to an altercation.

4. I had the occasion of examining the anticipatory bail application of the other accused and after hearing the defacto complainant, had granted anticipatory bail.

5. Notice had today been issued to the learned counsel for the defacto complainant, who is also present.

6. In view of the facts and circumstances, 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the Judicial Magistrate No.I, Bhavani, on condition that the petitioner shall execute a



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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 shall report before the respondent police daily at 10.30 a.m., for a period of two 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 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]**.



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

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