



Crl.OP.No.27434 of 2023

Crl.O.P.No.27437 of 2023

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**C.V.KARTHIKEYAN,J.**

The petitioner seeks anticipatory bail in Crime No.50 of 2023 registered by the respondent police for the offences punishable under Sections 447, 465, 467, 468, 471, 506(ii), 34 of IPC

2. It is case of the prosecution that the defacto complainant owns six grounds of lands at Thiruverkkadu, Poonamalle Taluk in Survey Nos.222/32 and 222/33 respectively. The lands of Palayethu Amman Temple are situated adjacent to the lands of the defacto complainant. It is managed by the temple trust. It is stated in the complaint lodged by the defacto complainant that the trustees came and threatened the defacto complainant to hand over his land to the temple. It is also seen that O.S.No.465 of 2014 is now pending before the competent authority at Poonamalle.



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3. Taking all these factors into consideration and that some other accused involved in this case have been granted bail, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

4. 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-I, Poonamalle* 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:

[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.



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[b] the petitioner shall report before the respondent police every day at 10.30 a.m until further orders

[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]**.

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

**12.12.2023**

Vv



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