



Crl.O.P.No.27747 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner seeks anticipatory bail in Crime No.675 of 2023 registered by the respondent Police for the offences punishable under Sections 447, 427 and 506(i) of IPC r/w. Sec.3 of the TN Public Property (Prevention of Damage & Loss) Act 1992.

2.The case of the prosecution is that the petitioner and the defacto complainant are both brothers and there was a dispute over demolition of an ancestral property and taking custody of the properties inside the premises. The evaluation of the property of the destruction will have to be done, but, to express bona fide, the petitioner herein stated that he would deposit a sum of Rs.1 lakh to the credit of Crime No.675 of 2023.

3. Taking all those factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions. Accordingly, the petitioner is 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, Pallavaram**, 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



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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 deposit a sum of Rs.1 lakh to the credit of Crime No.675 of 2023 and the Learned Judicial Magistrate, Pallavaram, may transfer that amount in interest earning Fixed Deposit and pass final orders on conclusion of trial.

[c] 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 the interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[e] the petitioner shall not abscond either during investigation or trial.

[f] 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 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.

15.12.2023

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