

Crl.O.P.No.28092 of 2023**C.V.KARTHIKEYAN, J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 379, 434, 447 and 506(i) of I.P.C, in Crime No.269 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.It is stated that the petitioner's property is situated in Survey No.157/2, Patta No.5353 at Ladduvadi village, Mohanur Taluk, Namakkal District and is the subject matter of the dispute between the petitioner and the de-facto complainant. It is alleged that the petitioner had removed the border stones which led to quarrel which accelerated into violence.

3. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner.

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 Court No.II, Namakkal District**, on condition that the petitioner shall execute a separate 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.

[b]the petitioner shall report before the respondent Police, on everyday at 10.30a.m., for a period of two weeks and thereafter, as and when required;

[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 abscond, a fresh FIR
can be registered under Section 229A IPC.

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