



CrI.OP.No.2777 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner/A6 in Crime No.65 of 2023 registered by the respondent police for the offences punishable under Sections 147, 148, 294(b), 353, 324, 506(ii) and 307 of IPC seeks anticipatory bail.

2. The petitioner is the father of A1. There was a borrowal of Rs.2,00,000/- . The creditor had instituted a suit seeking recovery and the suit was decreed. To satisfy the decree, the creditor/decreed holder brought a property measuring 10.5 acres for sale and that particular property was purchased by the defacto complainant. When he tried to take possession, all the accused had violently assaulted him.

3. It is stated that two of the co accused had been granted bail. One of the co-accused had been granted anticipatory bail in CrI.OP.No.27820 of 2023 dated 11.12.2023. It is also seen that



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subsequently, the possession had been handed over to the defacto complainant and that order was passed by the Sub Court, Udumalpet. In the order, the delivery had been recorded on 06.11.2023.

3. Taking all those factors into consideration, 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-II, Udumalpet* 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 shall report before the respondent police everyday 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]**.

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

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