



Crl.O.P.No.9215 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 447, 427, 294(b), 323, 506(2) of IPC @ 447, 427, 294(b), 323, 506(2) of IPC r/w Section 3 of PPD L Act, 1982 in Crime No.44 of 2024, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that he along with his family members comprised in S.No.98/8A, 96/8A contains house and agriculture land. While so, on 25.01.2024 at about 9.30 am, the petitioner along with 30 members had demolished the compound wall of the defacto complainant with the help of two JCB and one tractor, for which, the petitioner abused and assaulted the defacto complainant and also threatened with dire consequences. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner has been falsely implicated in this case. He further submits that the co-accused A1 was already arrested and enlarged on bail. Hence, he prays to



grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner has put up a wall in the subject area due to which the defacto complainant was unable to carry out his agricultural work. He further submits that the petitioner has no previous case pending against him. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate, Vaniyambadi***, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties,



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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 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 Court concerned 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 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 has been imposed and the petitioner is 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]*; and;



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[f] if the accused thereafter absconds, a fresh FIR
can be registered under Section 229-A IPC;

16.04.2024

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