



Crl.O.P.No.10099 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 366, 354(A), 294(b), 506(i) of IPC, 1860 in Crime No.07 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that there was a dispute of land in between the petitioner and the defacto complainant. The further allegation is that the defacto complainant leased out the agriculturist land to the petitioner and while so, on 29.12.2023 at about 7.00 p.m, the petitioner trespassed into the house, for that the petitioner had used filthy language and also threatened with dire consequences. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the defacto complainant mortgage his land for period of 3 years to cultivate and borrowed money of Rs.1,30,000/- from the petitioner and for security purpose, the defacto



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complainant have signed in 50/- Non judicial for obtaining the hand loan.

Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that there was a civil dispute between the petitioner and the defacto complainant and the same is pending. He further submits that the defacto complainant entered into compromise in respect of the enjoyment of the land. 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 No.I, Kallakurichi***, on condition that the petitioner shall execute a



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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 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 on every Tuesday and Friday at 10.30 a.m, for a period of four months;

[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

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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;

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

25.04.2024

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