



Crl.O.P.No.10531 of 2024

T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offences punishable under Sections 147, 294(b), 427 and 506(I) of IPC in Crime No.190 of 2024, on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant had purchased the land comprised in Survey Nos.161/3A and 161/4A in Pappakudi Village, Valangaiman Taluk, Tiruvarur District from A1 and A2. Thereafter, the de-facto complainant fencing stone and iron gates in the said land, the A1 and A2 along with other petitioners damaged the said stone fencing and iron wire meshes etc., and also the petitioners were threatened the de-facto complaint. Hence, the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are an innocent person and they have not committed any such offence as alleged by the prosecution. He further submitted that A1 and A2 in this case are blood brothers and owners of the land in Survey Nos.161/3A



and 161/4A and they were in need of money to develop their agricultural land, they have approached the de-facto complainant and availed a loan to the tune of Rs.1,50,000/- along with interest at the rate of 12% per annum. He also submitted that A1 and A2 had availed the said loan amount, the de-facto complainant by putting pressure on them, he got registered sale deed in his favour and the de-facto complainant orally agreed to re-convey the land in question once A1 and A2 repaid the loan amount. All the original parent deeds are with them. Therefore, he prayed to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the land dispute between the petitioners and the de-facto complainant. He further submits that there is no previous case against the petitioners. However, he opposed for granting anticipatory bail to the petitioners.

5. Taking into consideration the facts and the submissions made by the learned counsel on either side and also considering the fact that there is no previous cases pending against them, this Court is inclined to grant



anticipatory bail to the petitioners with certain conditions.

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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate, Valangaiman, Tiruvarur District*** on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties, each 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 petitioners 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 petitioners shall report before the **respondent Police Station on every Saturday at 10.30 a.m, for a period of eight weeks;**



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[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioners 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 petitioners 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;

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