



Crl.O.P.No.11310 of 2024

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K.KUMARESH BABU, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 147, 448, 427, 380 and 506(2) of IPC in Crime No.354 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 24.04.2024, on the instigation of the petitioner, unknown have illegally trespassed and caused damage to the defacto complainant's house and property. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the instigation of the petitioner, unknown have illegally trespassed and caused damage to the defacto



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complainant's house and property. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of all the factors, anticipatory bail is granted 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 days from the date on which the order copy made ready, before the *learned Judicial Magistrate Court, Sriperumbudur*, on condition that the petitioner shall execute a bond for a sum of ***Rs.10,000/- (Rupees Ten Thousand only) 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, 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.



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[b] the petitioner shall report before the respondent police everyday at 10.00 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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