



Crl.O.P.No.14137 of 2024

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for an alleged offence punishable under Sections 147, 148, 447, 341, 294(b), 324, 354, 506(ii) and 379 IPC and 3(1) of Tamil Nadu Prevention of Damage to Public Property Act, 1984 in Crime No.107 of 2023, seek anticipatory bail.

2. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Co-accused have been arrested and released on bail. He further submits that they are ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

3. Learned Government Advocate (Crl.Side) appearing for the respondent opposed this petition, stating that due to a land dispute, on 28.04.2024, at about 09.00 a.m., the petitioners along with other accused trespassed into the house of the defacto complainant, abused him in filthy language. They damaged the house of the defacto complainant worth Rs.4,00,000/- and stolen Rs.50,000/-. Hence, he



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vehemently opposed for the grant of anticipatory bail to the petitioners.

4.Taking into consideration the facts of the case and the submissions made by the learned counsels, and also the fact that investigation in this case is almost completed, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5.Accordingly, the petitioners are ordered to be released on **anticipatory bail**, in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.II, Attur, Salem District**, on condition that the petitioners shall execute a separate 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, failing which, the petition for anticipatory bail shall stands dismissed and on further condition that:

(a) petitioners are directed to deposit a sum of Rs.20,000/- jointly to the credit of Crime No.107 of 2023 before the concerned Magistrate within a period of three



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weeks from the date of this order and on such deposit, the de-facto complainant/victim is permitted to withdraw the same, on filing undertaking affidavit and proper identification and acknowledgment;

(b) 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;

[c] the petitioners shall report before the respondent police as and when required for interrogation;

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

[e] the petitioners shall not abscond either during investigation or trial;

[f] 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]**;



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

19.06.2024

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