



Crl.O.P.No.27754 of 2024

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A.D.JAGADISH CHANDIRA,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 132 and 351(2) of B.N.S. in Crime No.276 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is the Village Administrative Officer of Gudalur Village-1 and he had received a secret information about cutting of Trees in the property which is classified as “Anadheenam” and when the defacto complainant tried to seize the said Trees, the petitioner herein, restrained him from performing his duty and also intimidated him. Hence, this case.

3.The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case and that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, prayed for grant of anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl. Side) appearing for the respondent police opposed the grant of anticipatory bail to the petitioner stating that the defacto complainant who is the Village Administrative Officer, had received a secret information about cutting of Trees in the property which is classified as “Anadheenam” and when he tried to seize the said Trees, the petitioner restrained him from performing his duty and also intimidated him. He submitted that there is no previous case against the petitioner.

5. Heard the learned counsel for the petitioner, the learned Government Advocate (Crl. Side) appearing for the respondent police and also perused the materials available on record.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the fact that there is no previous case against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7.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 **learned Judicial Magistrate, Gudalur** 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.

[b] the petitioner shall report before the respondent police everyday at 06.30 p.m. for a period of two weeks and thereafter, on every Saturday at 06.30 p.m., until further orders.

[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



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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 269 B.N.S.

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