



Crl.O.P.No.259 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/third accused who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 447, 341 and 506(ii) of IPC in Crime No.198 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a land broker and it is stated that without the knowledge of the second petitioner, he is alleged to have sold an extent of 3 acres and 81 cents situated in Survey Nos. 16/7 and 59/3 at Koondhalur Village. The above said act accelerated the violence. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and he had been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent submits that without the knowledge of the second accused, the defacto complainant had sold an extent of 3 acres and 81 cents situated at Survey Nos. 16/7 and 59/3 at Koondhalur Village which leads to violence. However, he opposed to grant of anticipatory bail to the petitioner.



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5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, 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 days from the date on which the order copy made ready, before the Judicial Magistrate-I, Ulundurpet, 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 daily at 10.30 a.m., for a period of two weeks and thereafter as and when required.



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[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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