

CRL.O.P.No.14138 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 324 and 506(ii) IPC in Crime No.88 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3. The petitioners and the defacto complainant are neighbouring land owners. The case of the prosecution is that due to previous enmity, in a wordy quarrel, the petitioners are alleged to have assaulted the defacto complainant and caused injury and threatened him with dire consequences.

4. Learned Counsel for the petitioners submitted that the petitioners have not committed any such offence and the defacto complainant has given a false complaint against them.

5. Learned Government Advocate (Crl. Side) on instructions submitted that the victim has been discharged from the hospital.

6. Considering the facts and circumstances of the case and also taking note of the fact that the victim has been discharged from the hospital, **this Court is inclined to grant anticipatory bail to the petitioners.**

7. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or appearance, within a period of fifteen days from

S. VAIDYANATHAN, J.

vrc

the date of receipt of a copy of this order, before the **Judicial Magistrate, Gingee** subject to the following conditions:

(i) 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 Magistrate concerned;

(ii) the petitioners shall report before the respondent police daily at **10.30 a.m.** for a period of two weeks and thereafter as and when required for interrogation.

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioners shall not abscond either during investigation or trial.

[v] on breach of any of the aforesaid conditions, the 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 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]**.

05.07.2016

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CRL.O.P.NO.14138 of 2016