



Crl.O.P.No.5125 of 2022

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WEB 6031 **Dr.G.JAYACHANDRAN, J.,**

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 447, 294(b), 323, 324 and 506(i) of IPC, in Crime No.35 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The defacto complainant and the petitioner are neighbouring land owners. Regarding collection of stones near the petitioner's land, the quarrel has been cropped up between the defacto complainant and the petitioner herein, leading to cause injury to the defacto complainant with stones and hand.

3. The learned Government Advocate (Crl. Side) states that the defacto complainant was admitted in the hospital and treated as in-patient for seven days and got discharged.

4. Taking into account the proximity between the defacto complainant and the petitioner herein, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is ordered to be released on bail in the



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event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Rasipuram**, on condition that the petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty thousand Only), with two sureties, each for a like sum to the satisfaction of the learned Magistrate, failing which the anticipatory bail shall stand canceled 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) **the petitioner shall stay at Salem and report before the Inspector of Police, Salem Town Police Station, daily at 10.30 a.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 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]***; and;



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(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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04.03.2022

Note :- Registry is directed to change the respondent police address as “The Inspector of Police, Vennandur Police Station, Nammakal District”
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