



Crl.O.P.No.21440 of 2022

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A.D.JAGADISH CHANDIRA,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 & 506(ii) of IPC, in Crime No. 341 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the step mother of the petitioner and due to property dispute, the petitioners had pelted stones on the defacto complainant's house and assaulted her with wooden rod. Further, the petitioners had abused her with filthy languages.

3. The learned counsel for the petitioner would submit that it is a case in counter. He would further submit the defacto complainant is the second wife of the petitioner's father and due to property dispute, she had given a false complaint against the petitioners. Hence, he seeks for anticipatory bail.



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4. The learned Government Advocate (crl.side) would submit that the petitioners are the step sons of the defacto complainant and due to property dispute, they abused the defacto complainant with filthy languages and pelted stones on the her house and also assaulted her with wooden rods. He would further submit that the defacto complainant has treated as outpatient. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and submissions made by the learned counsel, this Court is inclined to grant anticipatory bail with certain conditions.

6. Accordingly, the petitioners are ordered to be released on 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 Court, Omalur** on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to



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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 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.

[b] the petitioners shall report before the respondent police **every day at 10.30 am and 5.30 pm., until further orders.**

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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



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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]**.

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

08.09.2022

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