



Crl.O.P.No.22129 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 147, 148, 294(b), 324 and 506(ii) IPC, in Crime No.445 of 2022, on the file of the respondent, seek anticipatory bail.

2. The case of the prosecution is that there was a land dispute between the defacto complainant and the petitioners due to which, the petitioners abused the defacto complainant and his father in filthy language, assaulted and intimidated them. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) would submit that the petitioners abused the defacto complainant and his father with filthy language and also intimidated and assaulted them. He would further submit that the petitioners have also lodged a counter case against the defacto complainant in Crime No.444 of 2022. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions;

6. Accordingly, the petitioners are directed to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate, Omalur, Salem District, on condition that each petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, each for a like sum to the



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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 everyday at 10.30 a.m., 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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