



Crl.O.P.No.22896 of 2022

Crl.O.P.No.22896 of 2022

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, 448, 294(b), 323, 324, 354 and 506(ii) of IPC in Crime No.423 of 2022, seek anticipatory bail.

2. The case of the prosecution is that due to enmity on account of the property, the petitioners along with other accused have trespassed into the house of the defacto complainant, abused her, assaulted her and outraged her modesty. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners and the defacto complainant are relatives and there was an enmity on account of sharing of property, a false complaint has been foisted against them. He would further submit that infact the defacto complainant and her family members have assaulted the petitioners and based on the complaint given by the petitioners' side, a case in Crime No.424 of 2022 has been registered against the defacto complainant. He



Crl.O.P.No.22896 of 2022

WEB COPY

would also submit that A3 has been arrested in this case and hence, he prays for grant of bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to enmity on account of the property, the petitioners along with other accused have trespassed into the house of the defacto complainant, abused her and also assaulted her. He would further submit that no one has been injured in this case and it is a counter case. Thereby, he vehemently opposed for grant of anticipatory bail to the petitioners.

5.Taking into consideration the facts of the case and the submissions made by the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioners subject to the following 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



Crl.O.P.No.22896 of 2022

the learned Judicial Magistrate No.I, Ulundurpet, Kallakurichi District on condition that each of the petitioners shall execute separate bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 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 daily at 10.30 a.m, for a period of one week and thereafter, every Saturday 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;



WEB COPY



Crl.O.P.No.22896 of 2022

A.D.JAGADISH CHANDIRA, J.

vkcr

[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]**;

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

23.09.2022

vkcr

Crl.O.P.No.22896 of 2022