



Crl.O.P.No.22933 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 448, 294(b), 323, 324 and 506(i) of IPC in Crime No.190 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to property dispute, there was a wordy quarrel, during the quarrel, the petitioners had trespassed into the house of the defacto complainant, abused him and also attacked him with knife and iron chain. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that due to previous enmity, the defacto complainant has given a false complaint against them. Therefore, he prays for grant of anticipatory bail to the petitioners.



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4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to property dispute, the petitioners had trespassed into the house of the defacto complainant, abused him and also attacked him. He would further submit that no one has been injured in this case. Hence, he vehemently opposed to grant 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 the learned Judicial Magistrate, Vanur, Villupuram 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



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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;

[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



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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;

22.09.2022

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