



CrI.O.P.No.25398 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 and 506(i) of IPC read with Section 4 of TNPWH Act, 1998 in Crime No.311 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that due to a civil dispute, the petitioners attacked the defacto complainant and her husband with hands, wooden logs and abused them with filthy language. Hence the complaint.

3. The learned counsel for the petitioners submits that it is case and case in counter and on the complaint given by the petitioner, a counter case in Crime No.312 of 2022 has been registered against the opposite party. Hence he seeks to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal side) would submits that this is the case and case in counter. During the quarrel, the petitioners had assaulted the de facto complainant and her husband. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and submission that it is a case and case in counter and further on the complaint given by the petitioner, the counter case was also registered in Crime No. 312 of 2022, I am 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, Gingee, on condition that the each of the petitioners shall execute a 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



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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., for the period of two weeks 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 have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court



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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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