



A.D.JAGADISH CHANDIRA, J.

3. The learned counsel for the petitioners would submit that the petitioners and the defacto complainant are neighbours and they have nothing to do with the alleged offence. He would further submit that only as a counter blast, a false complaint has been given against them. Hence, he prays to grant anticipatory bail to the petitioners.



Crl.O.P.No.29704 of 2022

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioners and the defacto complainant are neighbours and due to pathway dispute, they have abused and assaulted each other. He would further submit that the injured has been discharged from the hospital. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel and also of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. 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



Crl.O.P.No.29704 of 2022

from the date on which the order copy made ready, before the **learned**

Judicial Magistrate, Edappadi, on condition that each of 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 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 2nd petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of one week and thereafter, as and when required for interrogation. The petitioners 1 and 3 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.



Crl.O.P.No.29704 of 2022

[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.

01.12.2022

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Crl.O.P.No.29704 of 2022

A.D.JAGADISH CHANDIRA, J.

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Crl.O.P.No.29704 of 2022

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