



Crl.O.P.No.30457 of 2022

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC in Crime No. Not known of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioners' cattles have spoiled the defacto complainant's agricultural land and when the same was questioned by the defacto complainant, the petitioners have abused him and his family members in filthy language and assaulted them. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged and they have been falsely implicated in this case. He would also submit that it is a case and a case in counter. He would further submit that the petitioners are prepared to abide by any stringent conditions that may be imposed by



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this Court and hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) would submit that the petitioners and the defacto complainant are neighbouring land owners. On 01.12.2022, there was a dispute between them, due to which, the petitioners have abused the defacto complainant and his family members in a filthy language and assaulted them. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.Taking into consideration the facts and circumstances of the case and also the submissions made by the learned Government Advocate (Crl.Side), this Court is inclined to grant anticipatory bail to the petitioners 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**



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Judicial Magistrate Court, Omalur, Salem District, on condition that each of the petitioners 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 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 on every Wednesday at 10.30 a.m. for a period of eight (8) weeks;

[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;



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[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.

12.12.2022

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