



Crl.O.P.No.31901 of 2022

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T.V.THAMILSELVI, J.

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The petitioners, who apprehend arrest for the alleged offence under Sections 147, 294 (b), 323 IPC and Section 4 of TNPHW in Cr.No.259 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to the common passage of the property dispute between A1 and the defacto complainant, the petitioner and along with five other accused tried to assault and threatened the defacto complainant with dire consequence. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not been committed any offence as alleged by the prosecution. He would further submit that there is a case in counter registered against the defacto complainant. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.side) would submit that the petitioners abused the defacto complainant in filthy language, assaulted and



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threatened the defacto complainant with dire consequences. Hence, he vehemently opposed to grant anticipatory bail to the petitioners

5. Considering the fact that the it is a case and a case in counter, this Court is inclined to grant anticipatory bail to the petitioners.

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 of receipt of a copy of this order, before the learned ***Judicial Magistrate, No.II, Thirupature*** on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** each, 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 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 Court concerned 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 as and when required for interrogation;



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(c)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

23.12.2022

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To
The Judicial Magistrate, No.II,
Thirupature



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