



Crl.O.P.No.32157 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), 323, 354, 342, 427, 506(i) of IPC, in Crime No.218 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to the previous enmity with regard to the property dispute, there was a quarrel between the petitioners and the de-facto complainant's family, in which the petitioners have pushed the de-facto complainant's mother, causing simply injury. Hence the case.

3. Learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that due to the existing property dispute, false complaint was given against the petitioners. He also stated that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that due to the previous enmity, the petitioners abused the de-facto complainant and her mother in a filthy language and pushed the de-facto complainant's mother, causing bone fracture. He further submitted that the major part of the investigation is over, however, he vehemently opposed to grant anticipatory bail to the petitioners.

5. At this juncture, the learned counsel for the petitioners, on instructions, submitted that without prejudice to the rights, the petitioners are ready to deposit the amount of Rs.20,000/- to the credit of the crime number. Hence, he prays for grant of anticipatory bail to the petitioners.

6. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

7. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioners and also taking



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note of the fact that the petitioners are volunteered to pay a sum of Rs.20,000/- to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. 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 **District Munsif cum Judicial Magistrate, Gumudipoondi**, on condition that the petitioners shall execute a separate 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, failing which, the petition for anticipatory bail shall stands dismissed and on further condition that:

[a] the petitioners shall deposit a sum of Rs.20,000/- (Rupees Twenty thousand only) totally to the credit of Crime No.218 of 2022, without prejudice to his rights and contentions, before the learned District Munsif cum Judicial Magistrate, Gumudipoondi, within a period of two weeks from the



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date of receipt of a copy of this order and on such deposit the said amount may be disbursed to the de-facto complainant, within a period of two weeks thereafter;

[b] 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;

[c] the petitioners shall report before the respondent police on every Sunday at 10.30a.m. for a period of four weeks and thereafter, as and when required for interrogation;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;

[f] 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]**;



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[g] If the accused thereafter absconds, a fresh FIR
can be registered under Section 229A IPC.

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