



Crl.O.P.No.32392 of 2022

Crl.O.P.No. 32392 of 2022

A.A.NAKKIRAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(ii) of IPC, in Crime No.116 of 2022, seek anticipatory bail.

2. The case of the prosecution is that, due to land dispute, there was a wordy quarrel between the petitioners and the defacto complainant. The petitioners herein pushed back the defacto complainant and his wife and kicked with using some abusive words and thereafter they attacked him with wooden log and thereby causing injury. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submitted that it is a case in counter. He further submitted that, due to land dispute, there was a wordy



quarrel between the petitioners and the defacto complainant and subsequently, the petitioners attacked the defacto complainant with wooden logs and caused injury. He further submit that the injured has been discharged from the hospital. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that the injured has been discharged from the hospital and it is a case in counter, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest by the respondent police or the police officer, who intends to arrest or on the petitioners surrender before the learned Judicial Magistrate Court, Vandavasi, Tiruvannamalai District, within a period of fifteen days from the date of receipt of a copy of this order, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum/amount to the satisfaction of the learned Judicial Magistrate Court, Vandavasi, Thiruvannamalai District.

(a) the sureties shall affix their photographs and left thumb impression



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in the surety bond. The police officer who intends to arrest or the learned

Judicial Magistrate before whom the petitioners surrender and the sureties execute bond shall obtain a copy of their Identity Card, Aadhar Card, or Voter Identity Card or Driving Licence or PAN Card or Bank Passbook with Photo affixed and attested by the Bank Manager as proof of Identity.

(b) the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

(c) the petitioners shall not influence, threaten or coerce the 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 Investigation Officer shall exercise the discretion to cancel the bail by approaching the Court of the learned Judicial Magistrate/Trial Court.

(f) the learned Judicial Magistrate/Trial Court shall on application for cancellation of bail bond by the Investigation Officer shall pass appropriate orders as though bail granted by the learned Judicial Magistrate/Trial Judge



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himself/herself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

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

28.12.2022

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