



Crl.O.P.No.1011 of 2023

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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, 506(1) in Crime No.2 of 2023, seek anticipatory bail.

2. The case of prosecution is that on 25.12.2022 the petitioners assaulted the defacto complainant due to land dispute, abused using filthy language and threatened the defacto complainant with dire consequence. Hence, the complaint.

3. The learned counsel appearing for the petitioners submit that the petitioners are innocents and nothing to do with the alleged offences and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor appearing for the respondent police submitted that on 25.12.2022 the petitioners assaulted the defacto complainant due to land dispute, abused using filthy language and threatened the defacto complainant with dire consequence. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.



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5. Considering the facts and circumstances of the case and the submissions made by the learned counsel, 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 *Judicial Magistrate, Paramathi, Namakkal District* on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two sureties (out of which one surety should be a blood surety) 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.



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[b] the petitioners shall report before the respondent police station on every Wednesday at 10.30 A.M., for a period of eighty weeks and thereafter as and when required for interrogation.

[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;

[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;

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