

CrI.O.P.No.1277 of 2023

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T.V.THAMILSELVI, J.

The petitioners, who apprehends arrest for the alleged offence under Sections 109, 147, 148, 294(b), 324, 307 and 506(ii) of I.P.C in Crime No.9 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a land dispute between the family of the defacto complainant and the petitioner, due to which the first and second petitioners instructed the other petitioners to attack the defacto complainant and caused severe injuries to him. Hence the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (CrI.Side) appearing for the respondent submitted that the first and second petitioners are the main accused in this case. He further submits that the petitioners 3,4 and 5



accompanied with the first and second petitioners to commit the offence.

However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. The learned counsel appearing for the intervenor submits that the petitioners attacked the defacto complainant and caused serious injuries to him. Hence he vehemently opposed for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case and the fact that the first and second petitioners are the main accused in this case, this petition is dismissed with regard to the first and second petitioners and this Court is inclined to grant anticipatory bail to the third, fourth and fifth petitioners.

7. Accordingly, the third, fourth and petitioners are ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate, **Ranipet, Ranipet District** on condition that the third, fourth and fifth 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 failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the third, fourth and fifth 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 third, fourth and fifth petitioners shall report before the respondent police as and when required for interrogation.

(c) the third, fourth and fifth petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the third, fourth and fifth 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 third, fourth and fifth petitioners. in accordance with law as if the conditions



have been imposed and the third, fourth and fifth petitioners. released on anticipatory 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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