



Crl.O.P.No.1486 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 324, 506(ii) of IPC in Crime No.Not Known of 2023 seeks anticipatory bail.

2. The case of the prosecution is that due to land dispute, the petitioner abused the defacto complainant, assaulted and threatened him. Hence, the complaint.

3. The learned Counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and a false case has been foisted against him. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) for the respondent police submitted that due to land dispute, the petitioner abused the defacto



complainant, assaulted and threatened him. He further submitted defacto complainant had taken treatment in the hospital and got discharged. However, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned **Judicial Magistrate, Dharapuram** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** with two sureties (out of which one surety must 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 petitioner and the sureties shall affix their photographs and



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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.

[b] the petitioner is directed to report before the respondent police daily at 10.30 A.M., until further orders.

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

25.01.2023

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