

CrI.O.P.No.1910 of 2023

T.V.THAMILSELVI, J.

The petitioners, who apprehends arrest for the alleged offence under Sections 147, 447, 427, 294(b), 323 and 506(i) of I.P.C in Crime no.11 of 2023 on the file of the respondent police, 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, due to which the petitioners trespassed into the house of the defacto complainant and attacked him and also caused injuries to him. Hence the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are no way connected with the alleged offence and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (CrI.Side) appearing for the respondent submitted that there was a to land dispute between the petitioners and the defacto complainant, due to which the petitioners



attacked the defacto complainant and caused injuries to him.. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and the fact that only to land dispute, the occurrence took place, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, the 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 ***District Munsif Cum Judicial Magistrate, Uthukuli*** on condition that the 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



(b) the petitioners shall report before the respondent police every Saturday at 10.30 a.m. for a period of four weeks and thereafter, appear before the trial Court on all hearing dates.

(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 petitioners in accordance with law as if the conditions have been imposed and the 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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