



CrI.O.P.No.2319 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 Section 147, 294(b), 323, 324, 506(i) of IPC read with Section 4 of Women Harassment Act in Crime No.13 of 2023, seek anticipatory bail.

2. The case of prosecution is that on 21.10.2023 due to previous enmity over the land dispute the petitioners along with other accused went to the place of occurrence and abused, assaulted the defacto complainant and his sisters and threatened them with dire consequences. Hence the complaint.

3. The learned counsel appearing for the petitioners submit that the petitioners are innocent persons and they have nothing to do with the alleged offences and they have been falsely implicated in this case. The learned counsel further submitted that it is a case and a case in counter in Crime No.12 of 2023. Hence, he prays to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that on 21.10.2023 due to previous enmity over the land dispute the petitioners along with other accused went to the place of occurrence and abused, assaulted the defacto complainant and his sisters and threatened them with dire consequences. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case, nature of offence and the stage of investigation, 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, Omalur** on condition that each of the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each for a like sum to the satisfaction



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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.

[b] the first petitioner and the second petitioner shall report before the respondent police on every Saturday at 10.30 A.M, for a period of four weeks and thereafter as and when required for interrogation and the third and fourth petitioners are directed to report before the respondent 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



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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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06.02.2023

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