

Crl.O.P.No.2619 of 2023**T.V.THAMILSELVI, J.**

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The petitioners, who apprehends arrest for the alleged offence under Sections 294(b), 323, 324 and 506 (ii) of IPC in Cr.No.9 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that that there was a land dispute between the petitioners and the defacto complainant, due to which the petitioners abused the defacto complainant in filthy language and also assaulted him. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that there was a wordy quarrel between the petitioners and the defacto complainant, due to which, a false complaint has been given against the petitioners. There was a case in counter. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that there was some land dispute between the



petitioners and the defacto complainant, due to which the petitioners abused the defacto complainant in filthy language and also assaulted him . Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and the submissions made by learned counsel appearing for either side and the fact that the occurrence has taken place only to land dispute, 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 **Judicial Magistrate – I at Gingee at Villupuram 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 should be blood related 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:



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(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 Tuesday at 10.30 a.m. for a period of Six 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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4

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