



Crl.O.P.No. 4846 of 2023

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WEB C **A.D. JAGADISH CHANDIRA, J.**

The petitioner/A2, who apprehends arrest for the alleged offences under Sections 294(b), 506(i), 429 IPC and Section 11(1)(a) of Prevention of Cruelty to Animals Act, 1960, in Crime No. 47 of 2023 on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner attacked the cattle and caused injuries to them due to previous enmity. The petitioner abused the de-facto complainant in filthy language and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an agriculturist. The cattle of the de-facto complainant went into the fields and caused damaged to the crops and thereby, the petitioner in a fit of anger, has thrown the cattle, which got injured and then the petitioner did not commit any offence. He would further submit that the crops have also been damaged



Crl.O.P.No. 4846 of 2023

and he would further submit that even as per the FIR, only one injury was caused to the cattle. He would further submit that the petitioner has no previous case. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the cattle of the de-facto complainant went into the fields of the petitioner and the petitioner had attacked the cattle with knife, resulting in which, the cattle sustained injuries. He would further submit that there is no previous case against the petitioner. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and also the submission of both sides, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



Crl.O.P.No. 4846 of 2023

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before **the learned District Munsif cum Judicial Magistrate, Gummidipoondi**, on condition that each of the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** 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 petitioner 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 petitioner shall report before the respondent Police everyday at 10.30 a.m. until further orders.**

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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Crl.O.P.No. 4846 of 2023

A.D.JAGADISH CHANDIRA, J.

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[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 petitioner in accordance with law as if the conditions have been imposed and the 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]**.

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

06.03.2023

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Crl.O.P.No. 4846 of 2023