



Crl.O.P.No.5119 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC and section 4 of TNPHW Act in Crime No.54 of 2023, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity regarding cattle grazing in the paddy field, the petitioners had picked up a quarrel with the defacto complainant, abused him with filthy language and also assaulted him with stones. Hence the complaint.

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 is case in counter in Crime No.55 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 would submit that due to previous enmity regarding cattle grazing in the paddy field, the petitioners had picked up a quarrel with the defacto complainant, abused him with filthy language and also assaulted him with stones. He would further submit that the injured has been discharged from the hospital and there is a case in counter. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel and perused the entire materials available on record including the First Information Report.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel and also of the fact that the injured has been discharged from the hospital and there is a case in counter, this Court is inclined to grant bail to the petitioners with certain conditions.



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7. 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 District Munsif-cum-Judicial Magistrate, Uthiramerur, Kancheepuram District, on condition that each of the petitioner shall execute a separate 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 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 3rd petitioner shall report before the respondent Police daily at 10.30 a.m., for a period of two weeks and thereafter every Saturday at 10.30 a.m., until further orders. The 1st, 2nd and 4th



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petitioners shall report before the respondent police daily at 10.30 a.m, for a period of two weeks and thereafter 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 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]**;

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

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