



Crl.O.P.No.5711 of 2023

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A.D.JAGADISH CHANDIRA,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324, 506(ii) of IPC, in Crime No. 255 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Arul, is that, the defacto complainant and the petitioner are own brothers, on the date of occurrence, there was a wordy quarrel between them with regard to agricultural land boundary, for which, they both assaulted each other. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the defacto complainant and the petitioner are own brothers and due to dispute with regard to agricultural land boundary, they both assaulted each other. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) would submit that the defacto complainant and the petitioner are own brothers, and there was a wordy quarrel between them with regard to agricultural land boundary, for which, they both assaulted each other. He further submits that there is no previous case pending against him. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate, Thandrampet, on condition that 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



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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 is directed to appear 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.

[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]***.



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

14.03.2023

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