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Crl.O.P.No.6796 of 2023

T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 109, 147, 148, 294(b), 324, 307 and 506(ii) of I.P.C in Crime No.9 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that there was a land dispute between the family of the defacto complainant and the petitioner, due to which the first and second petitioner instructed the other petitioners to attack the defacto complainant and caused severe injuries to him. Hence the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that due to a land dispute the petitioner attacked the defacto complainant and caused injuries to him. However, he vehemently



opposed to grant anticipatory bail to the petitioner.

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5. The learned counsel appearing for the intervenor submits that the petitioner attacked the defacto complainant and caused serious injuries to him. Hence he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and that the petitioner on his own volition, is ready to deposit some amount to the credit of the crime number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.9 of 2023, within a period of fifteen (15) days and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the **learned Judicial Magistrate, Ranipet, Ranipet District** on condition that the petitioner 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 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 is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of Crime No.9 of 2023 before the concerned Magistrate within a period of fifteen (15) days and the defacto complainant is permitted to withdraw the said deposit amount of Rs.10,000/- on proper identification and acknowledgment;

(b)the petitioner 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;

(c)the petitioner is directed to appear before the respondent police every Tuesday at 10.30 a.m for a period of four weeks and thereafter as and when required for interrogation;

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during



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investigation or trial;

(f)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 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;

(g)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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