



Crl.O.P.No.8185 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, 294(b), 323, 324 and 506(2) of IPC in Crime No.86 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that, due to previous enmity with regard to land dispute, on 19.03.2023, the petitioners attacked the defacto complainant with wooden log and also threatened him with dire consequences, thereby causing injuries to him and he had been admitted in the Attur Government Hospital. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the defacto complainant and the petitioners are relatives and due to previous enmity with regard to land dispute, the defacto complainant attacked the petitioners with wooden log, in respect of which, the counter case has been registered in Crime No.87 of 2023 on the complaint given by the petitioners for the offence under Sections 294(b) and 506(1) of IPC and it is a case in counter.



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Hence, he prays for grant of anticipatory bail to the petitioners.

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4. The learned Government Advocate (Criminal Side) would submit that this is the case and case in counter. Due to previous enmity with regard to land dispute, the petitioners attacked the defacto complainant with wooden log and also threatened them with dire consequences. He further submits that the injured has been discharged from the hospital. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel on either sides and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made on both sides and also taking note of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 Judicial Magistrate No.II Attur, Salem District**, on condition that the petitioners shall



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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 petitioners shall stay at Chennai and report before the K4 Annanagar Police Station, Chennai, everyday at 10.30 a.m., until further orders.

[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



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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.

17.04.2023

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