



WEB COPY



CrI.O.P.No.8979 of 2023

CrI.O.P.No.8979 of 2023

A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC in Crime No.260 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 04.04.2023, due to land dispute between the defacto complainant and the 1st petitioner, the petitioners have abused the defacto complainant with filthy language and assaulted her and her husband with iron rod due which they sustained injuries. Hence, the complaint.

3. The learned counsel 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 it is a case and case in counter in Crime No.261 of 2023. Hence, he prays to grant anticipatory bail to the



Crl.O.P.No.8979 of 2023

petitioners.

WEB COPY

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that due to land dispute between the defacto complainant and the 1st petitioner, the petitioners have abused the defacto complainant and her husband with filthy language and assaulted them with iron rod due which they sustained injuries. He would further submit that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsels appearing on either side. Taking into consideration the facts and circumstances of the case and the injured has been discharged from hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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



Crl.O.P.No.8979 of 2023

WEB COPY

learned Judicial Magistrate No.I, Mannargudi, Thiruvarur District on condition that each of the petitioners 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 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 report before the respondent police daily 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,



Crl.O.P.No.8979 of 2023

A.D.JAGADISH CHANDIRA, J.

gbi

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 abscond, a fresh FIR can be registered under Section 229A IPC.

28.04.2023

gbi

Crl.O.P.No.8979 of 2023