



Crl.O.P.No.9020 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 offence punishable under Sections 294(b), 323, 324 and 506 (ii) of IPC, in Crime No.76 of 2023 seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the petitioners are adjacent land owners. Due to land dispute, the petitioners have picked up a wordy quarrel with the de facto complainant, wherein they had abused him with filthy language and had assaulted each other. Hence the complaint.

3. The learned counsel for the petitioners submitted that it is a case and case in counter. He would submit that on the complaint given by the petitioners, the counter case in Crime No.75 of 2023 has been registered by the respondent police. Hence, he seeks to grant anticipatory bail in respect of the petitioners.



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4. The learned Government Advocate (Criminal Side) for the respondent would submit that due to a land dispute, the petitioners picked up a wordy quarrel with the defacto complainant and abused him with filthy language, assaulted him with bare hands and also threatened him with dire consequences. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (crl.side) for the respondent and perused the entire materials available on record.

6. Taking into consideration of the facts and submission that it is a case and case in counter and further on the complaint given by the petitioners, counter case was also registered in Crime No.75 of 2023, I am inclined to grant Anticipatory Bail 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 Judicial Magistrate-I, Villupuram**, on condition that each of the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each 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 first petitioner shall stay at Chennai and report before the D1-Triplicane police station everyday at 10.30 a.m., for a period of two weeks and thereafter report before the respondent police everyday at 10.30 a.m., until further orders.



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[c] the second and third petitioners shall report before the respondent police every Monday and Saturday at 10.30 a.m., until further orders.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during 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 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]**;

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

28.04.2023

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