



Crl.O.P.No.13680 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 alleged offences punishable under Sections 147, 148, 447, 354, 341, 324, 323, 427, 506(ii) of IPC and Section 4 of TNPHW Act, in Crime No. 115 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the accused and the defacto complainant are relatives and on account of dispute regarding family property there was a quarrel, during such time, the petitioners have assaulted the defacto complainant with an iron rod. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are relatives of the defacto complainant and on account of a property dispute, a false complaint has been given. He would further submit that co-accused has been granted anticipatory by this Court in Crl.O.P.No.13630 of 2023, and thereby he prays for grant of anticipatory



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bail to the petitioners.

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4. The learned Government Advocate (Crl.Side) would submit that on account of property dispute there was a quarrel for which, the petitioners have assaulted the defacto complainant causing injuries to him. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) and perused the materials available on record.

6. Considering the above fact 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 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



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days from the date on which the order copy is made ready, before the **learned Judicial Magistrate, Dharapuram**, on condition that the petitioners shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten 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 petitioners shall stay at Salem and report before the Inspector of Police, Ammapet Police Station on everyday at 10.30 a.m, for a period of two weeks and thereafter before the respondent police on every Saturday at 10.30 a.m, until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

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[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 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.

21.06.2023

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