



Crl.O.P.No.14847 of 2023

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Dr.G.JAYACHANDRAN, J.,

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 324 and 506(ii) of IPC in Crime No.94 of 2023 before this Court seeks anticipatory bail.

2.The case of the prosecution is that, due to property dispute, neighbours have engaged themselves in physical attack of each other and hence, case has been registered against this petitioner and five others in Crime No.94 of 2023 dated 14.06.2023 for the offences under Sections 147, 148, 294(b), 324, 506(ii) of IPC. Counter case on the complaint given by one Saraswathy in Crime No.93 of 2023 against the accused persons.

3.The learned counsel appearing for the petitioner states that all other accused A2 to A5 already granted bail.

4. The perusal of the CD file indicates that the complaint of Saraswathy against this petitioner and five others is anterior in point of



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time and the complaint given by Ulaganathan, the first accused in Crime No.93 of 2023 is subsequent to that. In this case, the petitioner Velu @Velu Murugan is arrayed as A1. Accident Register Report reveals that the persons injured in the hospital were treated and discharged. The nature of the injury is certified as simple in nature.

5. In the light of the above, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Vandavasi**, on condition that the petitioner shall execute a 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 and on further condition that:

(a)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;



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(b)the petitioner shall report before the Investigation Officer daily at 10.00 a.m, until further order.

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

(d)the petitioner 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 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]*; and;

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

06.07.2023

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