



WEB COPY



Crl.O.P.No.15023 of 2023

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G.CHANDRA SEKHARAN, 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.277 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The learned counsel for the petitioners submitted that in a property dispute, the defacto complainant gave a false complainant against the petitioners and FIR in Crime No.277 of 2023, was registered against the petitioners for the offences under Sections 294(b), 324 and 506(ii) of IPC. Apprehending arrest, this petition is filed seeking anticipatory bail.

3. In response, the learned Government Advocate (Crl. Side) submitted that the defacto complainant was cleaning her land along with her husband using JCB. The accused disturbed it and attacked them with



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stone and knife, as a result, the defacto complainant and her husband suffered injuries. Now the injured have been discharged from the hospital.

4. Considering the nature, facts and circumstances of the case and the fact that the injured were discharged from the hospital, this Court is of the view that custodial interrogation of petitioners is not necessary. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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 District Munsif cum Judicial Magistrate, Uthukkotai**, on condition that the petitioners shall execute a separate 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



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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. for a period of two weeks and thereafter, 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;

[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].



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[f] If the accused thereafter absconds, a fresh

FIR can be registered under Section 229A IPC.

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