



Crl.O.P.No.19152 of 2023

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WEB CO **RMT.TEEKAA RAMAN, J.**

The petitioners, who apprehend arrest for the alleged offences under Sections 294(b), 324, 506(ii) r/w Section 4 of TNPHW Act @ Section 307 of IPC, in Crime No.183 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity with regard to pathway dispute, the petitioners along with other accused abused and assaulted the defacto complainant and his family members with knife. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and due to previous enmity, a false complaint has been given against them. He further submitted that based on the confession statement recorded from A1, the petitioners have been implicated in this case. He would further submit that it is a case and a case in counter in Crime



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No.184 of 2023 and A1 in this case has been arrested and later, enlarged on bail by the trial Court in CrI.M.P.No.2792 of 2023. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (crl.side) appearing for the respondent Police would submit that it is a case and a case in counter and the injured has been discharged from the hospital.

5. Heard both sides and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also of the fact that the injured has been discharged from the hospital and A1 in this case has been enlarged on bail, this Court is inclined to grant 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 days from



the date on which the order copy made ready, before the **learned District Munsif cum Judicial Magistrate, Kodumudi**, 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 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 eight 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,



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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;

28.08.2023

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