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CrI.O.P.No.20331 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners seek anticipatory bail in Crime No.627 of 2023, registered by the respondent Police for the offence under Sections 294(b), 324 and 506(ii) IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002.

2.Heard the learned counsel for the petitioners and the learned Government Advocate (CrI.side) for the respondent Police.

3.It is stated that the de facto complainant is the brother of the 1st accused. The 1st accused was constructing a building in the undivided land belonging not only of the 1st accused but also of the de facto complainant. Owing to that particular fact, a dispute arose which escalated into violence leading to assault.

4.My learned predecessor by an order dated 15.9.2023, had directed the parties to appear before mediation and the learned counsel stated that mediation has been progressing but could not finally end in a result but parties themselves had reached into a settlement. In view of the fact that some



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bonafide is shown by the petitioners herein and also because the injured had been discharged from the hospital. Taking all these facts into consideration, anticipatory bail is granted to the petitioners.

5. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

6. 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, Thirukazhukundram**, on condition that each of the petitioner shall execute a 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 1st petitioner shall report before the respondent police **daily at**



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10.30 a.m, for a period of two weeks and thereafter as and when required and for **the 2nd, 3rd and 4th petitioners** shall report before the respondent police **once in a week for a period of three weeks** and thereafter as and when required by the respondent for interrogation.

[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 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]**.

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

31.10.2023

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