



Crl.O.P.No.21982 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners herein seek anticipatory bail in Crime No.335 of 2023 registered by the respondent Police for the offence under Sections 448, 341, 294(b), 352 and 506(i) IPC.

2. The learned counsel for the petitioners stated that the petitioners are falsely implicated in this case. Apprehending arrest from the respondent police, he seeks bail to the petitioners.

3. It is stated by the learned Government Advocate (Criminal side) that there is already a civil suit pending between the accused and the Defacto Complainant in O.S.No. 22 of 2016 before the District Munsif cum Judicial Magistrate, Needamangalam, owing to a property dispute. There had been an encroachment, which further escalated to quarrel, leading to assault and violence. He further submitted that, there is no previous case pending against the petitioners. However, he prays for dismissal of this petition.

4. Taking into consideration the facts and circumstances of the case,



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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 Judicial Magistrate No.II, Mannargudi**, on condition that the petitioner's 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 petitioner 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 as and when required;

[c] the petitioner's shall not tamper with



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evidence or witness either during investigation or trial;

[d] the petitioner's 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's in accordance with law as if the conditions have been imposed and the petitioner's 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;

12.10.2023

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