



Crl.O.P.No.22823 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324, 307 of Indian Penal Code in Crime No. 247 of 2023, seek anticipatory bail.

2. It is stated that there was a land dispute between the defacto complainant family and the family of the first accused. It is alleged that the accused persons assaulted the elder brother of the defacto complainant and also the defacto complainant. The father of the defacto complainant was also assaulted. It is stated that they also damaged the rear glass of the car of the defacto complainant. It is stated that the first accused had been granted bail and anticipatory bail had been granted to one of the other accused.

3. Taking into consideration of these facts, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

4. 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, Attur, Salem District, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/-



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(Rupees Ten thousand only) each 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 this Court 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 are directed to deposit a sum of Rs.5,000/- each to the credit of the Crime No. 247 of 2023 before the learned Judicial Magistrate Court and on such deposit, the total amount, which is about Rs.20,000/- may be handed over to the defacto complainant. Two weeks time is granted for depositing the amount.

[c] the petitioners shall appear before the respondent police, daily at 10.30 a.m., until further orders.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.



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[f] 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]**.

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

05.10.2023

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