



Crl.O.P.No.22782 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners herein seek anticipatory bail in Crime No.214 of 2023 registered by the respondent Police for the offence under Sections 294(b), 324 and 506(ii) IPC and Section 4 of the Tamil Nadu Prohibited of Harassment of Women Act 2002.

2. The learned counsel for the petitioners stated that, he has been falsely implicated as an accused in this case. The petitioner had also given a complaint against the defacto complainant, which had been registered in Crime No.215 of 2023 registered for the offences under Sections 294(b), 324 and 506(ii) IPC and Section 4 of the Tamil Nadu Prohibited of Harassment of Women Act 2002. Apprehending arrest from the respondent police, he seeks bail to the petitioners.

3. The learned Government Advocate (Criminal side) stated that, the petitioners and defacto complainant are neighbours and owing to the cultivation of a land, there was a dispute between them which escalated into assault. Thus, he prays for dismissal of this petition.



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4. Taking into consideration of the facts, 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, Attur, Salem District**, on condition that the petitioner 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] (i) the petitioners 2 and 3 shall report before the respondent Police, daily at 10.30 a.m., for a



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period of two weeks and thereafter as and when required.

(i) the petitioners 1 and 4 shall report before the respondent Police, once in a week at 10.30 a.m., for a period of two weeks and thereafter as and when required.

[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]**;

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

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