



Crl.OP.No.23605 of 2023

Crl.O.P.No.23605 of 2023

C.V.KARTHIKEYAN,J.

The petitioners seek anticipatory bail in Crime No.271 of 2023 registered by the respondent police for the offence punishable under Sections 294(b), 323, 324 of IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act,2002.

2. It is stated that the dispute with regard to pathway and the petitioners had assaulted the defendants and for good measure the defacto complainant had also assaulted the petitioners in which the FIR in Crime No.272 of 2023 had been registered under Sections 294(b), 324 IPC.

3. The learned counsel for the petitioners has submitted that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. Hence he prays to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate(Crl.Side) has submitted that the dispute with regard to pathway and the petitioners had assaulted the defendants. He has further submitted that it is a case and case in counter. Hence, he has vehemently opposed to grant anticipatory bail to the petitioner.

5. In view of the facts, this Court is inclined to grant anticipatory bail to the petitioner 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 **Judicial Magistrate -II, Mettur**, on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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



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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 everyday 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]**.



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

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