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Crl.O.P.No.24806 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners seek anticipatory bail in Crime No.560 of 2023 registered by the respondent Police for the offence under Sections 294(b), 341, 323, 324, 354 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 (Crl.Side) for the respondent.

3.It is stated that the petitioners and the de facto complainant are neighbours and there is an on going quarrel relating to common pathway and water tank. This quarrel escalated into violence. It is also stated that the petitioners have given a complaint against the de facto complainant which had been registered as FIR in Crime No.561 of 2023. Taking all these factors into consideration, anticipatory bail is granted.

4.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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.I, Namakkal**, on condition that the petitioners each 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] the petitioners to appear before the respondent police **every day at 10.30 a.m, for a period of two weeks and thereafter** as and when required 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.



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[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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