



Crl.O.P.No.24941 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners seek anticipatory bail in Crime No.116 of 2023 registered by the respondent Police for the offences under Sections 294(b), 323, 506(ii) IPC read with Section 4 of TNPHW Act.

2. It is stated by the learned counsel for the Petitioners that this case has been falsely registered as against the Petitioners herein. He also stated that the Petitioners herein also given a complaint against the defacto complainant. Hence, he prays for anticipatory bail to the Petitioners.

3. The learned Government Advocate (Criminal Side) stated that there was a dispute with respect to the common well and water irrigation facilities for agricultural field.

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



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which the order copy made ready, before **the Judicial Magistrate, Rasipuram**, 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] the 1st petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and the 2nd, 3rd and 4th Petitioners shall report before the respondent once in a week i.e., every Saturday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for the interrogation.

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



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[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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