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Crl.O.P.No.25162 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 324, 341, 506(ii) IPC and Section 4 of TN Prohibition of Harassment of Women Act, 2002 in Crime No.112 of 2023, seek anticipatory bail.

2. The learned counsel for the petitioners stated that the petitioners were falsely implicated in this case and they have not committed any offence as alleged by the respondent. Hence, he prays for grant of anticipatory bail.

3. It is stated by the learned Government Advocate (Criminal Side) that the petitioners and the defacto complainant are actually cousin brothers and there was a dispute regarding their lands. The petitioners had tried to take a photograph of the land which led to a quarrel and



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escalated into violence leading to lodging of complaints by both the sides and registration of FIR.

4. In view of this case, this Court is inclined to grant anticipatory bail to the petitioners herein with certain conditions. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **Judicial Magistrate, Rasipuram**, on condition that the petitioners 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.



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[b] (i) the 1st and 2nd petitioners shall appear before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation.

(ii) the 3rd and 4th petitioners shall appear before the respondent police weekly once i.e., Saturday 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.

[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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