



Crl.O.P.No.28569 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioners seek anticipatory bail in Crime No.271 of 2023 registered by the Respondent Police for the offences under Sections 294(b), 324 and 506(i) IPC with respect to an occurrence which took place on 07.12.2023.

2. It is stated by the learned Government Advocate (Criminal Side) that the defacto complainant is the Village Panchayat President and he is also a neighbour of the Petitioners. It is stated that he dug the road and he dumped the waste materials in front of the house of the Petitioners herein. This led to a quarrel and he had lodged a complaint against these Petitioners. Hence, this case.

3. The learned counsel for the Petitioners stated that a false case had been foisted against these Petitioners herein. Thus, he prays for grant of anticipatory bail to the Petitioners herein.



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4. Taking all the factors into consideration, 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 which the order copy made ready, before **the Judicial Magistrate No.1, Mettur**, 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.

[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 Petitioner shall report before the Respondent Police once in a week i.e., on every Saturday at 10.30 a.m., for a period of two weeks and thereafter, as and



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when required for the interrogation and the 3rd Petitioner shall report before the Respondent Police, only as and when required for the 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]**.

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

21.12.2023

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