



Crl.O.P.No.28805 of 2023

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C.V.KARTHIKEYAN, J.

The Petitioner/A1 in Crime No.438 of 2023 registered by the Respondent Police for the offences under Sections 294(b), 323, 324 and 506(ii) IPC, seeks anticipatory bail.

2. The learned Government Advocate (Criminal Side) stated that there is an existing land dispute between the Accused A3 and the defacto complainant. The Petitioner/A1, who is working as a Government teacher in Mangalam Government Higher Secondary School at Thiruvannamalai District had gone over to the house of the defacto complainant and had picked up a quarrel leading to assault.

3. It is stated by the learned Government Advocate (Criminal Side) that there are three previous cases as against the Petitioner herein and also he has a habit of getting into quarrels which led to assaults. This should not be the conduct of any teacher particularly a teacher in a Government school where he should act as a role model. Though the Court is inclined to grant anticipatory bail, a copy of this Order may be forwarded to the District



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Educational Officer, Thiruvannamalai to interact with the Respondent to find out further details about the activities of the Petitioner herein.

4. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the Petitioner with certain conditions. Accordingly, the Petitioner is 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 District Munsif cum Judicial Magistrate, Kalasapakkam, Thiruvannamalai District**, on condition that the petitioner shall execute a 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 petitioner 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] the petitioner shall report before the Respondent Police daily at 10.30 a.m., until further orders.

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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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.

22.12.2023

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Note : Registry is directed to serve a copy of this Order to the District Educational Officer, Thiruvannamalai District.



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