



CrI.OP.No.1360 of 2024

CrI.O.P.No.1360 of 2024

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C.V.KARTHIKEYAN,J.

The petitioners/A1 and A2 in Crime No.436 of 2023 registered by the respondent police for the offences punishable under Sections 447, 294(b), 323 and 506(ii) and Section 4 of TNPHW Act, 2002 seek anticipatory bail .

2. It is stated that the petitioners are father and son and when they had entered into the land of the defacto complainant, there arose a dispute and the dispute escalated into violence.

3. Taking all factors into consideration, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

4. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen

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days from the date on which the order copy made ready, before the *learned Judicial Magistrate-I, Mettur, Salem* on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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 as and when required for interrogation and the 2nd petitioner shall report before the respondent police on everyday 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.



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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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