



CrI.OP.No.4584 of 2024

CrI.O.P.No.4584 of 2024

C.V.KARTHIKEYAN,J.

The petitioners/A1, A3 to A9 in Crime No.40 of 2024 registered by the respondent police for the offences punishable under Sections 147, 148, 294(b), 448, 506(ii) of IPC and Section 3 of TNPPDL Act with respect to an occurrence which took place on 10.02.2024 seek anticipatory bail.

2. It is stated that all the petitioners were residing in the border between Tamilnadu and Andra Pradesh and had to pass through a pathway to reach their village. This was objected to by the defacto complainant. A quarrel arose, which escalated into violence. The petitioners had also given a counter complaint against the defacto complainant which had been registered as FIR in Cr.No.41 of 2024.

3. Taking all the 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, Gudiyatham* 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 petitioners shall report before the respondent police 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.

[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



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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.

5. It appears that the dispute is with respect to an approach road to the village of the petitioners. The respondent may address the jurisdictional Revenue Authorities to determine and examine the said issue and bring about peace in the area. If the pathway is a patta land then the Revenue authorities may examine possibility of finding and alternate pathway.

6. With the above directions, this Criminal Original Petition is ordered.

01.03.2024

Vv



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