

CrI.O.P.No.8774 of 2024

T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324 and 506(2) of IPC, in Crime No.74 of 2024, seek anticipatory bail.

2. The case of the prosecution is that on 02.03.2024, at about 8.30 a.m, the petitioners attacked the defacto complainant regarding land dispute and abused him with filthy language causing injury to him. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are in no way connected with the alleged offence as stated by the prosecution. He further submits that he is ready to abide by any condition that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that due to land dispute, the petitioners attacked the defacto complainant and abused him with filthy language. He further submits that the petitioner has no previous case pending against him. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsels this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory 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 **learned Judicial Magistrate No.2, Attur**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand

only)each 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 stands 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 daily at 10.30 a.m, for a period of eight weeks;

[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

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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.

10.04.2024

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