

Crl.O.P.No.8814 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 341, 294(b), 324, and 506(ii) of IPC in Crime No.333 of 2024, seek anticipatory bail.

2. The case of the prosecution is that due to pathway dispute, there was a wordy quarrel between the petitioners and the defacto complainant's family over grazing of cows on the defacto complainant's agricultural land. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case. He further submits that they have nothing to do with the alleged offence and it is a case and a case in counter. Hence, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that there was a wordy quarrel between the petitioners and the defacto complainant for grazing of cows in the defacto complainant's agricultural land, for which, the petitioners attacked the defacto complainant with wooden log and also threatened him with dire consequences. He further submits that the injured has been discharged from the hospital. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

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

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate No.II, Tindivanam,* on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 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 Court concerned 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 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 petitioner in accordance with law as if the conditions has been imposed and the petitioner is 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]***; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

10.04.2024

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