



Crl.O.P.No.9019 of 2024

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 341, 294(B), 323, 324, 506(2) of IPC, in Crime No.250 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that totally there are four accused involved in this case and the petitioner is A2 and due to land dispute between the petitioner and the defacto complainant. On the day of occurrence, the petitioner abused the defacto complainant's husband with filthy language and attacked him with wooden log on his thigh. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that due to previous enmity, the petitioner has been falsely implicated in this case. He would further submit that without prejudice his rights, he would ready to deposit some amount to the credit of Crime



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No.250 of 2024. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to previous enmity between the petitioner and the defacto complainant with regard to land dispute, for which the petitioner attacked the defacto complainant with wooden log. He further submits that the petitioner has no previous case pending against him. Hence, he opposed for grant of anticipatory bail to the petitioner.

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

6.Considering the facts and circumstances of the case and also the fact that the petitioner without prejudice his rights, ready to deposit some amount to the credit of crime No.250 of 2024, this court is inclined to



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grant anticipatory bail to the petitioner with certain conditions.

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7. 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 learned **Judicial Magistrate, Gingee, Villupuram District**, on condition that the petitioner 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, 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.

[b]the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit



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of Crime No.250 of 2024, before the concerned Magistrate within a period of two weeks from the date on which the order copy made ready and on such deposit, the defacto complainant is permitted to withdraw the said deposit amount on filing undertaking affidavit and proper identification and acknowledgment;

(c) the petitioner shall report before the respondent police as and when required for interrogation;

(d) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioner shall not abscond either during investigation or trial;

(f) 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]*;



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and;

(g)if the accused thereafter absconds, a fresh FIR can
be registered under Section 229-A IPC;

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