



Crl.O.P.No.9603 of 2024

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R.HEMALATHA, J.

The petitioner, who apprehends arrest at the hands of the respondent police, has filed the present anticipatory bail petition.

2. The case of the prosecution is that the petitioner and the injured are neighbours and they had a dispute over a land. On 08.03.2024, at about 7.00 a.m., when the de facto complainant and his family members were doing agricultural work in the disputed land, the petitioner and his family members abused them and also attacked them with wooden log, causing grievous injuries. The accused have also threatened them with dire consequences. Based on the complaint given by the de facto complainant, a First Information Report in Crime No.80 of 2024 was registered for the offences punishable under Sections 147, 148, 294(b), 307, 323, 324, 506(ii) of IPC and later altered as 294(b), 323, 324, 506(ii), 307 of IPC.

3. 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.



Crl.O.P.No.9603 of 2024

4. Considering the nature of the offence and the dispute between the parties and also taking note of the fact that all the injured have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner on the following conditions.

(i) the petitioner shall appear before the **Judicial Magistrate, Polur, Tiruvannamalai District**, within a period of fifteen (15) days from the date of receipt of a copy of this order and execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, for like sum each to the satisfaction of the Judicial Magistrate, Polur.

(ii) the petitioner 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.

(iii) the petitioner shall appear before the respondent police daily at 10.00 a.m., and sign for four weeks and thereafter, on every Saturday for four weeks.

(iv) the petitioner shall not tamper with the evidence and shall not abscond either during investigation or during trial.



CrI.O.P.No.9603 of 2024

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(v) 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 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

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

22.04.2024

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Crl.O.P.No.9603 of 2024

R.HEMALATHA, J.

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