



CrI.O.P.No.9291 of 2024

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T.V.THAMILSELVI, J.

The petitioners who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 324, 506(ii) of IPC in Crime No.151 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that 2nd petitioner is the brother of the defacto complainant's father-in-law and there was already a civil dispute between them. While so, on 06.04.2024, the petitioners joined together went to their land and tried to remove the common borewell, for which, the defacto complainant and her mother-in-law came out from the house, at that time, the 1st petitioner attacked the defacto complainant with thadi and the 2nd petitioner with iron rod causing injury to him. Hence, the complaint.

3.The learned counsel appearing for the petitioners would



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submit that there was already a civil dispute between the petitioners and the defacto complainant. He would further submit that without prejudice their rights, they would ready to deposit some amount to the credit of Crime No.151 of 2024. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to civil dispute, the petitioners along with other accused attacked the defacto complainant with thadi and knives causing injury to him. He further submits that the injured has been discharged from the hospital. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners 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



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fact that the petitioners without prejudice their rights, ready to deposit some amount to the credit of crime No.151 of 2024, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are ordered to be released on 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 **District Munsif cum Judicial Magistrate, Uthangarai**, 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, 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.



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[b]the petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.151 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 petitioners shall report before the respondent police on every Saturday at 10.30 a.m, for a period of eight weeks;

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

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

(f) on breach of any of the aforesaid conditions,



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the learned Magistrate/ Trial Court is entitled to take 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]*; and;

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

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