



Crl.O.P.No.10195 of 2024

T.V.THAMILSELVI, J.

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The petitioners, who apprehend arrest for the alleged offences punishable under Sections 294(b), 447, 323, 506(2) of IPC and 4 of TNPHW Act, 2002 in Crime No.322 of 2024 on the file of the respondent/police, seeks anticipatory bail.

2. It is the case of the prosecution that there is a land dispute between the petitioners and the defacto complainant, which is pending investigation at Ponneri District Collector's Office. On 01.04.2024 at 10.30 a.m. one Raja had trespassed and erected a fence at the problematic place. The said Raja, and the petitioners herein attacked the defacto complainant with their hands, kicked and tore the defacto complainant's clothes. Seeing this, when the defacto complainant's sister son Vishal stopped him, they also abused him with inappropriate words. After that, the said Raja and his son Gokul took the nearby log and would not let them kill you. They threatened to kill the defacto complainant by their hands. Hence the complaint.



3.The learned counsel appearing for the petitioners would submit that they are innocent and they have not committed any offence as mentioned in the FIR. They have been falsely implicated in this case. They are law abiding citizens. They are ready to abide by any condition that may be imposed by this Court. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) vehemently opposed for grant of anticipatory bail to the petitioners.

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

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

7.Accordingly, the petitioners are directed 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, Gummidipondi Court, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties each for a like sum to the satisfaction of the respondent/police or the police officer, who intends to arrest the petitioners, 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

*(b) the petitioners shall deposit a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** each to the credit of **Registered Advocate Clerks Association, Thiruvallur District**, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below;*

(c) the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial;

(d) the petitioners shall appear before the respondent



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police as and when required;

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

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

(g) on breach of any of the aforesaid conditions, 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 petitioner released on bail by the learned Magistrate/trial Judge himself as laid down by the Hon'ble Supreme Court in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]; and;

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

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