



Crl.O.P.No.11493 of 2024

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K.KUMARESH BABU, J.

The petitioners seek anticipatory bail in Crime No.119 of 2024 registered by the respondent Police for the offences under Sections 147, 148, 294(b), 323, 324 and 506(2) IPC.

2. The case of the prosecution is that there was a property dispute between the defacto complainant and the petitioners' family. On 15.04.2024, the petitioners cut a tree from the land of the defacto complainant. When it was questioned by the defacto complainant, the petitioners assaulted him and also threatened him with dire consequences. Hence this complaint.

3. The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and a false case has been foisted against them. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that due to property dispute, the petitioners abused the defacto complainant in filthy language and also assaulted him and caused grievous injuries. The defacto complainant was admitted in hospital and now, he is discharged from the hospital.



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5. Taking all the factors into consideration and the injured is discharged from the hospital, I am 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 days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Kalasapakkam, Tiruvannamalai District**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties, each 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.

[b] the petitioners shall report before the respondent police everyday at 10.00 a.m., for a period of two weeks and thereafter, as and when required for interrogation.



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[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 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];

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

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