



Crl.O.P.No.12440 of 2024

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S.SOUNTHAR, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(i) of IPC read with Section 4 of Tamil Nadu Prohibition of Woman Harassment Act in Crime No.145 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are neighbours and due to the land dispute regarding boundaries, there was a wordy quarrel arose between the parties and that the petitioners abused the defacto complainant in filthy language and attacked him with hands and also intimidated him with dire consequences. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in the case. Thus, he seeks anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal side) appearing for the respondent police vehemently opposed for grant of anticipatory bail to the petitioners and stated that the defacto complainant has not sustained any injuries. However, he prays for dismissal of this petition.

5. Taking into consideration the fact that it is only a land dispute regarding boundaries and there is no injury caused by the petitioners, 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 Court-II, Pollachi**, on condition that the petitioners shall execute separate 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 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



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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 daily at 10.30.a.m., until further orders.

[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 abscond, a fresh FIR can be registered under Section 229A IPC;

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