



WEB COPY



Crl.O.P.No.12486 of 2024

Crl.O.P.No.12486 of 2024

C.SARAVANAN, J.

The petitioners / A4 & A5 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 352, 506(ii) of IPC and Section 4 of TNPHW Act @ 306 of IPC in Crime No.100 of 2024, seek anticipatory bail.

2. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent.

3. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. He further submits that bail had been granted to A1, A2 and A3 by the learned Judicial Magistrate, Sirkazhi vide order dated 03.05.2024 in Crl.M.P.No.1006 of 2024. Hence, he prays for grant of anticipatory bail to the petitioners.

3. It appears that there is a previous enmity with respect to land dispute between the defacto complainant and the accused persons. It appears that the



Crl.O.P.No.12486 of 2024

defacto complainant's wife also committed suicide by pouring kerosene and later, she died on 07.03.2024.

4. The learned Government Advocate (Crl. Side) confirms that none of the accused in Crime No.100 are having any previous history of being involved in any crime and that this is the family dispute between the parties. She further confirms that A1 to A3 were granted bail on 03.05.2024 in Crl.M.P.No.1006 of 2024 by the learned Judicial Magistrate, Sirkazhi.

5. Considering the above facts and circumstance of the case and also considering the fact that both the petitioners are women aged about 50 and 52 years, this Court is inclined to grant anticipatory bail to the petitioners.

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 is made ready, before the learned Judicial Magistrate, Sirkazhi, on condition that the petitioners shall execute separate bond each 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



CrI.O.P.No.12486 of 2024

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 monthly once i.e., on the 1st Monday of every month 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 absconds, a fresh FIR can be registered under Section 229A IPC.

24.05.2024

smv



WEB COPY



Crl.O.P.No.12486 of 2024

C.SARAVANAN, J.

smv

Crl.O.P.No.12486 of 2024

24.05.2024