



Crl.O.P.No.12822 of 2024

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T.V.THAMILSELVI, J.

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The petitioners, who apprehends arrest for the alleged offence punishable under Sections 147, 148, 294(b), 323, 324, 354, 427 and 506(ii) of IPC r/w Sections 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.64 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the due to land dispute, petitioners abused and assaulted the defacto complainant. Hence the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are an innocent person and they have not committed any such offence as alleged by the prosecution. The petitioners have been falsely implicated in this case. However, on instructions, the learned counsel further submits that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the



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respondent submit that due to land dispute petitioners abused and assaulted the defacto complainant. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the investigation is completed and statement under section 164 of Cr.P.C. is also recorded, this criminal Original Petition is dismissed as withdrawn in respect of second and third petitioners. However, this Court is inclined to grant anticipatory bail to the first petitioner subject to the following conditions.

6. Accordingly, the first petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance before the **learned Judicial Magistrate, Valparai** on condition that the first 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 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 first petitioner 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 first petitioner is directed to report before the respondent police on alternative days at 10.30am., for a period of eight weeks and thereafter, as and when required for interrogation;

[c] the first petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the first petitioner 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 first petitioner in accordance with law as if the conditions have been imposed and the first petitioner 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]**;

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

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