



Crl.O.P.No.12927 of 2024

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S. SOUNTHAR, J.

The petitioners herein seek anticipatory bail in Crime No.144 of 2024 registered by the respondent Police for the offences punishable under Sections 294(b), 352, 427, 506(ii) of IPC.

2. The case of the prosecution is that there was a land dispute between one Seladurai and the 1st petitioner. On the date of occurrence, when the de-facto complainant was in the field, the petitioners came to the field and abused the de-facto complainant in filthy language questioning the cultivation of the land, assaulted the de-facto complainant and pulled on the field, threatening with dire consequences. Hence, the complaint.

3. Learned counsel for the petitioners submitted that the de-facto complainant abused the petitioners and prevented them from entering the cultivated land, which is adjacent to the land of the de-facto complainant. Hence, wordy quarrel arose between them and the injured were discharged on the same day. Hence, he seeks anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal side) stated that due to



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land dispute, the petitioners and the de-facto complainant had wordy quarrel in which the defacto complainant sustained simple injuries. Thus, he prays for dismissal of this petition.

5. Taking all the factors into consideration, 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 District Munsif cum Judicial Magistrate Court, Nannilam** 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 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.



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[b] the petitioners shall report before the respondent police everyday at 10.00.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;

30.05.2024

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