



Crl.O.P.No.13629 of 2024

Crl.O.P.No.13629 of 2024

WEB COPY

T.V.TAMIILSELVI, J.,

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 279, 337, 294(b) and 506(ii) of IPC, in Crime No.136 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that on 14.05.2024, while the defacto complainant was riding his two-wheeler towards his agricultural land, the 2nd petitioner who driven a tractor in a rash and negligent manner, hit against the two wheeler of the defacto complainant due to which, the defacto complainant sustained injuries. Further, the 1st and 3rd petitioners abused the defacto complainant in filthy language and also threatened him with dire consequences. Hence the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submitted that due to previous enmity in respect of land dispute between the petitioners' family and the de-facto complainant's family, a false case has been foisted against the petitioners.



Crl.O.P.No.13629 of 2024

Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the injured has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate No.I, Attur, Salem District**, on condition that the petitioners shall execute a 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 and on further condition that:

[a] the petitioners are directed to deposit totally a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the **credit of Crime No.136 of 2024**, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below;

[b] the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[c] the petitioners shall report before the respondent police, on every Saturday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;



Crl.O.P.No.13629 of 2024

WEB COPY

[f] 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 has been imposed and the petitioners are 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]*; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

12.06.2024

ssi



WEB COPY



CrI.O.P.No.13629 of 2024

T.V.TAMILSELVI, J.,

ssi

CrI.O.P.No.13629 of 2024

12.06.2024