



Crl.O.P.No.15601 of 2024

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WEB C T.V.THAMILSELVI,J.

The petitioners, who apprehends arrest at the hands of the respondent police for an alleged offence punishable under Sections 294(b), 323, 324 and 506(i) of IPC r/w Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.216 of 2024, seek anticipatory bail.

2. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submits that they are ready to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioners and the de facto complainant are adjacent land owners and there was a dispute between them with regard to the common cart track. It is alleged that on 17.06.2024, the de facto complainant was indulged in the construction of a new house. Due to the dispute, petitioners abused the defacto complainant and assaulted him and caused injury. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.



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4. Taking into consideration the facts of the case and the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate Court, Sathyamangalam, Erode District*, on condition that the petitioners shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two sureties (**out of which, one surety must be blood surety**), 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] petitioners are directed to deposit a total sum of Rs.25,000/- (Twenty Five Thousand Only) to the credit of Crime No.216 of 2024 before the concerned Magistrate at the time of furnishing sureties and on such deposit, the de-facto complainant/victim is permitted to withdraw the same, on filing undertaking affidavit and proper identification and acknowledgment;

[b] the petitioners and the sureties shall affix their



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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 alternative days 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;

[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;

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