



Crl.O.P.No.17580 of 2024

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 447, 294(b), 355, 323, 324 and 506(ii) of IPC, in Crime No.145 of 2024, seek anticipatory bail.

2. The case of the prosecution is that there was a property dispute between the petitioner and the defacto complainant, as a result of which, the petitioners have abused the defacto complainant in filthy language and attacked him, due to which, he sustained injuries. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the 1st petitioner's name was wrongly mentioned in the FIR as Anandhan instead of Anand. He further submitted that there is a civil dispute pending between the parties. He

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further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the investigation is almost completed. However, he opposed for grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that there is a civil suit pending between the parties and the investigation is almost completed, this Court is 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 is made ready, before **the learned Judicial Magistrate, Uthangarai**, on condition that each of



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the petitioner 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, 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 as and when required for interrogation.

[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



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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 abscond, a fresh FIR can be registered under Section 229-A IPC.

26.07.2024

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