

**CrI.O.P.No.18915 of 2024**

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P.DHANABAL, J.

The petitioners apprehends arrest for the alleged offences under Sections 296, 115, 324, 351 (i) of the B.N.S.Act and 4 of the TNPHW Act altered as 329 (3), 296 (b), 324 (4), 115 (i), 351 (3), 75 (ii) B.N.S. R/w 4 of TNPHW Act and 8 of the POCSO Act in Crime No.201 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the petitioners are neighbours and as there was a land dispute between both the parties, it is alleged that the petitioners have attacked the defacto complainant. Hence, the complainant.

3. The learned counsel appearing for the petitioners submits that the petitioners had not committed any offence as alleged and the petitioners had been falsely implicated in this case. He further stated that no women were involved in the alleged scene of occurrence and hence, he prayed to grant anticipatory bail to the petitioners .



4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the defacto complainant and the petitioners are neighbours and as there was a land dispute between both the parties, it is alleged that the petitioners have attacked the defacto complainant and as the defacto complainant sustained injuries, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the representations made by both sides and considering that there is dispute between both the parties in respect of land and considering the nature of offences charged against the petitioners and also taking into consideration the contents mentioned in the FIR and further, there are no previous cases as against the petitioners, 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 his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***District Munsif cum Judicial Magistrate, Sendurai*** on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (each) (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 shall report **before the respondent police everyday, for thirty days (30).**

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts of the Court or to any police officer.

[c] the petitioners shall not leave India without the previous permission of the Court.

[d] the petitioners shall not abscond either during investigation or trial.

[e] the petitioners shall make them self available for interrogation by a police officer as and when required.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the 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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[g] If the accused thereafter absconds, a fresh FIR can
be registered under Section 269 B.N.S.

23.08.2024

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