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Crl.O.P.No.27789 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 296(b), 115(2), 118(1), 351(3) of B.N.S. in Crime No.623 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are in-laws. On 27.10.2024, due to land dispute, there was a quarrel between the defacto complainant and the petitioners during which, the petitioners abused the defacto complainant in filthy language and also attacked him with iron rod. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and that they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and prayed for grant of anticipatory bail to the petitioners.



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4. The learned Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioners stating that there was a land dispute between the family members during which, the petitioners who are the in-laws of the defacto complainant, abused the defacto complainant in filthy language and also criminally intimidated him. Further, the 4th petitioner attacked the defacto complainant with iron rod. He also submitted that the injured has been discharged from hospital.

5. Heard the learned counsel for the petitioners, the learned Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the fact that the injured has been discharged from 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 bail in the event of arrest or on their appearance, within a period of fifteen



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days from the date on which the order copy made ready, before **the learned Judicial Magistrate, Dharapuram**, 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, 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 everyday at 10.30 a.m. for a period of two weeks and thereafter, 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.



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[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 abscond, a fresh FIR can be registered under Section 269 B.N.S.

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