



Crl.O.P.No.27718 of 2024

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WEB C **A.D.JAGADISH CHANDIRA,J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(i) of IPC in Crime No.200 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to property dispute, the petitioners who are the brother and father of the defacto complainant, abused the defacto complainant with filthy language and attacked him with walking stick. Hence, this case.

3.The learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that there is a case in counter in Crime No.192 of 2024. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent police opposed the grant of anticipatory bail to the petitioners stating that the petitioners are the brother and father of the defacto complainant and due to property dispute, they abused the defacto complainant with filthy language and also attacked him with walking stick.



He further submitted that the injuries sustained by the defacto complainant are simple in nature and that there is no previous case against the petitioners.

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

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 injuries sustained by the defacto complainant are simple in nature and that there is no previous case against the petitioners, 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 days from the date on which the order copy made ready, before **the learned Judicial Magistrate No.II, Tiruvannamalai**, 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:



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[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 1st petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of three weeks and thereafter, on every Monday at 10.30 a.m., until further orders. The 2nd petitioner 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 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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