



Crl.O.P.No.28195 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioners/Accused 1 to 4 apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of I.P.C in Crime No.130 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, the defacto complainant one Sokkalingam lodged a complaint stating that there is a property dispute between the family members of both petitioners and defacto complainant, hence there arouse a wordy quarrel and the petitioners herein had abused the defacto complainant using filthy language and also criminally intimidated him. Hence, this case.

3. Learned counsel appearing for the petitioners submitted that petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the 1st petitioner and the defacto complainant are brothers and due to



property dispute between the family members of both petitioner and defacto complainant, thereby they abused and attacked each other. He submitted that the 4th petitioner also lodged a complaint as against the defacto complainant and his family members in Crime No.131 of 2024 before the respondent police. He also further submitted that the petitioners are ready to produce solvent sureties and to abide with any conditions imposed upon them, therefore, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioners stating that due to property dispute between the petitioner's family and the defacto complainant's family, the petitioners abused and attacked the defacto complainant, thereby the defacto complainant sustained injuries. He further submitted that the injured have been discharged from hospital and there is also a counter case lodged as against the defacto complainant and his family members by the 4th petitioner.

5. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl. Side) appearing for the respondent police and



perused the materials available on record including the FIR.

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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 the 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 days from the date on which the order copy made ready, before **the learned District Munsif Cum Judicial Magistrate, Edappadi** 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



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and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners 1, 2 and 4 shall report before the respondent police everyday at 6:30 p.m., until further orders, the 3rd petitioner shall report before the respondent police everyday at 6:30 p.m., for a period of one week and thereafter, as and when required.

[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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