

Crl.O.P.No.28417 of 2024**A.D.JAGADISH CHANDIRA, J.**

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The petitioners-A1 to A3, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 296(b), 118(1) and 351(3) of B.N.S, in Crime No.582 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to property dispute, the accused had abused the de-facto complainant her husband and assaulted him with sticks wooden log and iron rod and caused injury to them. Hence the case.

3. The learned Counsel for the petitioner would submit that the petitioners are innocent persons and a false complaint has been given on account of property dispute would submit that the injured had been discharged from the hospital and he would seek for anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) for the respondent submits that while opposing the grant of anticipatory bail would submit that the accused during a quarrel on account of property dispute have abused and assaulted the de-facto complainant and her



husband with sticks wooden log and iron rod resulting in them, sustaining injuries. He would submit that the injured person had been discharged from the hospital. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, the injured had discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

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-I, Dharmapuri District** on condition that 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 petitioner 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 stay at Chengalpet and they shall report before the Chengalpet Town Police Station, on everyday at 06.30p.m., until further orders; It is made clear that the petitioners shall not interim jurisdiction limit of the respondent police.

[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 BNS.

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