



Crl.O.P.No.29110 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest in connection with Crime No.1136 of 2024, registered for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS, 2023 r/w. Section 4 of TN Prohibition of Harassment of Women Act, 2002 , on the file of the respondent Police, seek anticipatory bail.

2. The case of the prosecution is that, due to a property dispute, the petitioners abused the defacto complainant in filthy language and a wordy quarrel arose between them, due to which, the petitioners attacked the defacto complainant and caused injury. Hence, the case.

3. Learned Counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the petitioners are ready and willing to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police while opposing for grant of anticipatory bail to the petitioners, would submit that, due to previous enmity, the petitioners attacked the defacto complainant and caused injury. He would submit that the injured has now been discharged from the hospital. He would further submit that, it is a case of case in counter and there is no previous cases pending as against the petitioners.

5. Learned counsel appearing for the intervenor vehemently opposed for the grant of anticipatory bail to the petitioners, stating that the 1st petitioner is the root cause for the incident.

6. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl.Side) for the respondent, the learned counsel for the intervenor and perused the entire materials available on record.

7. Considering the above facts and circumstances of the case, the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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8. 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, Palladam**, on condition that the petitioners shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand Only)** each 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 his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall stay at Salem and report before the Inspector of Police, Ammapet Police Station, Salem, everyday at 10.30 a.m., for a period of two weeks and thereafter, report before the respondent police on every Saturday at 06.30 p.m., until further orders;

[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 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]**;

[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 269 of B.N.S.

25.11.2024

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To

1. The Inspector of Police,
Ammamet Police Station,
Salem.
2. The Inspector of Police,
Palladam Police Station
Tiruppur District.
3. The Judicial Magistrate, Palladam.
4. The Public Prosecutor,
High Court, Madras.



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