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Crl.O.P.No.28511 of 2023

Crl.O.P.No.28511 of 2023

and

Crl.M.P.No.403 of 2024

C.V.KARTHIKEYAN, J.

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323,324, 506(ii) of I.P.C in Crime No. 316 of 2023, seek anticipatory bail.

2. It is the case of the prosecution that a complaint had been given about a wordy quarrel among the petitioners and the defacto complainant due to family and civil dispute. This quarrel escalated into violence .

3. The learned counsel appearing for the interevenor has stated that the petitioners are giving threat to the defacto complainant and complained that the first and second petitioners must be directed to stay outside Vaniyambadi/Thirupathur District.

4.Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:



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5. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Vaniyambadi** on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten 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 this Court 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 should file an affidavit before the Court below stating that they would not escalate the dispute and if at all there is any dispute relating to property they will approach the Competent Civil Court for redressal of the grievance. The affidavit should be filed at the time of executing sureties. If there is violation of any terms of the affidavit the defacto complainant is at liberty to file



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necessary application for cancellation of this order.

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[b] the first and second petitioners shall appear before the respondent police daily 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.

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

6. Intervening petition filed by the petitioner in Crl.M.P.No.403 of 2024 is allowed.



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C.V.KARTHIKEYAN, J.



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