



Crl.O.P.No.31374 of 2024

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A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.308 of 2024 registered for the offences punishable under Sections 191(2), 296(b), 115(2), 351(3) of BNS, 2023 and Section 4 of the Prohibition of Harassment of Women Act, 2002, the present petition has been filed seeking anticipatory bail.

2. The case of the prosecution is that, due to previous enmity between the petitioners and the defacto complainant's family, who are close relatives, they attacked the defacto complainant and threatened him with dire consequences. Hence the case.

3. Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this court. He would further submit that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court.

4. The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that, due to previous enmity with regard to the civil



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dispute, the petitioners abused and attacked the defacto complainant. He would submit that, it is a case of case in counter. He would further submit that there is one previous case pending against the petitioners.

5. Having heard the learned counsel for the petitioners, the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or their appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate-II, Dharmapuri**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 and the



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Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent police everyday at 10.30 a.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;

[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 of B.N.S.

17.12.2024

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