

Crl.O.P.No.11618 of 2016

S.VAIDYANATHAN, J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 323 and 506(ii) of IPC in Crime No.177 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. The case of the prosecution is that in a temple festival, in a wordy quarrel, the petitioners are alleged to have assaulted the defacto complainant and caused injury and abused him in a filthy language and threatened him with dire consequences.

3. The learned counsel for the petitioners submitted that the petitioners have not committed any such offence and that the defacto complainant has lodged false complaint against the petitioners.

4. The learned Government Advocate (Crl. Side) submitted that the injured has been discharged from the hospital. However, he opposed for granting anticipatory bail to the petitioner stating that picketing is still prevailing in the area.

5. Considering the facts and circumstances of the case and taking note of the fact that the injured has been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioners.

6. 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 of receipt of a copy of this order, before the learned Judicial

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Magistrate No.I, Udumalpet, on each of them executing a bond for a sum of Rs.10,000/- (Rupees ten Thousand Only) with two sureties each for a like sum to the to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the petitioners shall stay at Pollachi and appear before the Pollachi Taluk Police Station daily at 10.30 a.m. until further orders.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] 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]**.

08.06.2016

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