

CRL.O.P.No.12643 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(ii) and 379 IPC altered to Section 307 I.P.C. in Crime No.176 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. Heard both sides.

3. The case of the prosecution is that due to business dispute, the petitioners are alleged to have beaten the defacto complainant, due to which, the defacto complainant was injured.

4. Learned counsel for the petitioner would submit that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that it is a case in counter.

5. Learned Government Advocate (Crl. Side) would submit that the injured has been discharged from the hospital.

6. In such circumstances, I am inclined to grant anticipatory bail to the petitioners. Accordingly, the petitioners are ordered to be released on bail in the event of their arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, **before the learned Judicial Magistrate. Dharapuram**, 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 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:

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[a] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[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]**.

20.06.2016

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