

CRL.O.P.No.12669 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 324 & 506(ii) IPC in Crime No.249 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 prosecution is that during the celebration of temple festival, the petitioners burnt crackers (Vanavedikkai), which has fallen on the farm belonging to defacto complainant, due to which, his farm caught fire and in respect of the same, a wordly altercation arose between the defacto complainant and the petitioners herein. The petitioners are alleged to have attacked the defacto complainant and caused injuries.

4. Learned counsel for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. He further submitted that they have been falsely implicated in this case.

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 III, Vellore**, 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

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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 report before the respondent police daily at 10.00 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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