

CRL.O.P.No.13466 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 342, 294(b), 323, 324 and 506(ii) in Crime No.15 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel for the petitioners as well as the learned Government Advocate (criminal side) for the respondent.

3. The case of the prosecution is that due to previous enmity, a wordy quarrel arose between the petitioners and others and the defacto complainant. Due to this, the petitioners and others are alleged to have attacked the defacto complainant and his son with wooden stick , resulting which, they got injuries.

4. Learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He further submitted that co-accused was released on anticipatory bail by the Sessions Judge at Salem in Crl.M.P.No.390 of 2016 dated 28.01.2016.

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

6. Considering the facts and circumstances of the case and also taking note of the fact that the petitioners are willing to abide by any condition, this Court is inclined to grant anticipatory bail to the petitioners.

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7. 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 **Judicial Magistrate II, Attur, subject to the following conditions:**

(i) Each of the petitioners 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 Magistrate concerned ;

(ii) 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;

(iii) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioners shall not abscond either during investigation or trial.

(v) on breach of any of the aforesaid conditions, the 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 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]**.

06.07.2016

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