

Crl.O.P.No.11089 of 2018**A.D.JAGADISH CHANDIRA, J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294[b], 323, 324, & 506[ii] IPC, in Crime No.74/2019 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners and the defacto complainant are neighbours and that due to previous enmity, the petitioners abused the defacto complainant with filthy language and assaulted her and further snatched her 8.5 sovereigns of gold chain.

3.The learned counsel for the petitioners submitted that it is a case in counter and that on the complaint given by the 1st petitioner, a case in Crime No.75/2019 has been registered against the defacto complainant and his family members and only as a counter blast, the present complaint has been given.

4.The learned Additional Public Prosecutor submitted that the petitioners have not only assaulted the defacto complainant but also snatched 8.5 sovereigns of gold chain from her which is yet to be recovered.

5.Taking into consideration, the facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions.

6.Accordingly, the petitioners are ordered to be released on anticipatory bail 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 learned Judicial Magistrate No.II, Namakkal, and on further condition that:-

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[a] if the petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled.

[b] the petitioners 1 to 3 shall report before the respondent police daily at 10.30 a.m until further orders and the 4th petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required ;

[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 229-A IPC.

30.04.2019

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