



Crl.O.P.No.5466 of 2022

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Dr.G.JAYACHANDRAN, J.

The petitioners, who apprehend arrest for the alleged offences punishable **under Sections 147, 148, 294(b), 323 and 324 of IPC r/w.Section 4 of Prevention of Women Harassment Act** in Crime No.40 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to dispute between two families with regard to dumping of waste material, which lead to both the family members attacked with each other.

3. The learned counsel for the petitioners submitted that the petitioners are innocent and they have not committed any such offences as alleged by the prosecution. He further submitted that they have been falsely implicated in this case. Hence, he pleads for anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent raised objection for granting anticipatory bail to the petitioners stating that it is a case and counter case registered against both the parties. The injured person discharged from the hospital.

5. Considering the facts, this Court is inclined to grant anticipatory bail to the petitioners.



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6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the **Learned Judicial Magistrate No.I, Jayankondam** on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) each, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further condition that:

(a)the petitioners and the sureties shall affix his photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

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

(c)**the petitioners shall report before the Investigating Officer daily at 10.30 a.m., until further orders and shall co-operate for investigation.**

(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



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law as if the conditions has 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]*; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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