



Crl.O.P.No.5506 of 2022

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Dr.G.JAYACHANDRAN, J.

The petitioners, who apprehend arrest for the alleged offences **under Sections 341, 324 and 506(ii) of IPC** in Crime No.25 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. On perusal of the FIR, accident register and the discharge summary issued by the Government Hospital, it appears that A1 along with A2 had attacked the defacto complainant with iron rod, due to which the defacto complainant sustained grievous injuries.

3. Though, it is contended that this is a case of case in counter, this Court finds that the manner in which the defacto complainant has been attacked by the first and second petitioner is heinous one. Hence, this Court is not inclined to grant anticipatory bail to the first and second petitioner. As far as the third petitioner is concerned, being a lady aged about 43, mother of the other two accused and further the complaint also indicates that there is no specific overt act against her.



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5. Considering the above submissions, this Court is inclined to grant anticipatory bail to **A3 alone**. In respect of A1 & A2, this Criminal Original Petition is dismissed.

4. Accordingly, the petitioner/A3 is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the **Learned Judicial Magistrate, Thiruttani** on condition that the petitioners shall execute a bond for a sum of Rs.25,000/-only (Rupees Twenty Five 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:

(a) the petitioner/A3 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 petitioner/A3 shall not tamper with evidence or witness either during investigation or trial;



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(c)the petitioner/A3 shall report before the Investigating Officer as and when required and shall co-operate for investigation.

(d)the petitioner/A3 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 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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