



CrI.O.P.Nos.11598 and 11604 of 2022

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N.ANAND VENKATESH., J.

The petitioner in CrI.O.P.No.11598 of 2022, who was arrested and remanded to judicial custody on 01.03.2022 for the alleged offences under Sections 147, 148, 149, 323, 307 and 506(ii) of IPC, in Crime No.48 of 2022 on the file of the respondent police, seeks bail.

2. The petitioners in CrI.O.P.No.11604 of 2022, who were arrested and remanded to judicial custody on 01.03.2022 for the alleged offences under Sections 147, 148, 149, 323, 307 and 506(ii) of IPC, in Crime No.48 of 2022 on the file of the respondent police, seek bail.

3. The case of the prosecution is that the accused persons attacked the *de facto* complainant and caused serious injury to him. The *de facto* complainant is said to have been admitted in the hospital and he was treated as an in-patient and thereafter discharged. There are totally 10 accused persons in this case and the petitioners have been arrayed as A1, A4 and A6.

4. Heard the learned counsel for the petitioner and the learned Public Prosecutor (Puducherry) for the respondent.



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5. In this case, the entire incident has taken place after a wordy quarrel

and it is stated that the incident was captured in the CCTV Camera. The petitioners have already suffered incarceration for nearly 83 days, the co-accused (A8) has already been granted bail before this Court and there is no previous case against these petitioners. The statements of the witnesses have been recorded and the filing of final report is awaiting for the report of experts.

6. Taking into consideration of the facts and circumstances of this case, this Court is inclined to enlarge the petitioners on bail subject to certain conditions.

7. Accordingly, the petitioners are ordered to be released on 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, Karaikal and on further conditions that:-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police daily at

10.30 a.m until further orders.



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[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 absconds, a fresh FIR can be registered under Section 229A IPC.

23.05.2022

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