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Crl.O.P.No.16190 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324 and 506(ii) of IPC in Crime No.98 of 2022, seek anticipatory bail.

2. The case of the prosecution is that on 22.06.2022 at about 9.20 P.M the defacto complainant had entered into the house of A1 in inebriated condition and on hearing the same incident, next day the petitioners along with other accused alleged to have attacked the defacto complainant and also threatened him with dire consequences, due to the said attack the defacto complainant sustained simple injury. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the defacto complainant had entered into the first petitioner with the



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inebriated condition thereafter the first petitioner along with village members lodged a complaint against the defacto complainant to the respondent that he was in drunken mode left with him with verbal warning and the defacto complainant is also a history sheeter on the file of the respondent police. He further submitted that the petitioners have nothing to do with the alleged offence. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor submitted that the petitioners attacked the defacto complainant and caused simple injuries. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above facts and circumstances of the case and also considering the fact that the victim has got simple injury, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Pappireddyppatti, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and 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 first, third and forth petitioners shall appear before the respondent police as and when required for interrogation and the second, fifth and sixth 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.



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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.

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