



Crl.O.P.No.16421 of 2022

Crl.O.P.No.16421 of 2022

WEB COPY

G.K.ILANTHIRAIYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 307, 506(ii), 436 of IPC and Section 9(B)(1)(b) of the Indian Explosives Act 1884 Act in Crime No. 165 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, there arose a wordy quarrel between the petitioners and the defacto complainant, as a result of which, the petitioners attacked the defacto complainant by throwing the petrol bomb. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that there are totally four accused involved in this case. The petitioners are arrayed as A2 to A4. A1 was arrested and remanded to judicial custody.



CrI.O.P.No.16421 of 2022

A2 is mother of A1 and A3 & A4 are sisters of A1. He would further submit that due to previous enmity, the petitioners attacked the defacto complainant by throwing the petrol bomb. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 is made ready, before the learned Judicial Magistrate No.II, Tiruvannamalai District, on condition that the petitioners shall execute a separate 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:



Crl.O.P.No.16421 of 2022

[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 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.

[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.

15.07.2022

Lpp



Crl.O.P.No.16421 of 2022

G.K.ILANTHIRAIYAN, J.
Lpp

Crl.O.P.No. 16421 of 2022

15.07.2022