

**Crl.O.P.No.18751 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 307 of IPC in Crime No.338 of 2022, seeks anticipatory bail.

2. There are totally fifteen accused. 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 and caused injuries to him. Hence, the complaint.

3. The learned counsel for the petitioners would submit that there is a case in counter case against the defacto complainant and a false case has been foisted against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that the petitioners have attacked the defacto complainant and caused



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grievous injuries to him. He would further submit that there is no previous case pending against the petitioners. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above facts and circumstances, this Court is not inclined to grant anticipatory bail to the 4th petitioner/A5 and inclined to grant anticipatory bail to the petitioners 1 to 3 with certain conditions.

6. Accordingly, as far as the 4th petitioner is concerned, this petition is dismissed and as far as the petitioners 1 to 3 are concerned, they 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, Madhavaram, on condition that the petitioners 1 to 3 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:



[a] the petitioners 1 to 3 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 1 to 3 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 1 to 3 shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 1 to 3 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 1 to 3 in accordance with law as if the conditions have been imposed and the petitioners 1 to 3 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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