



Crl.O.P.No.19251 of 2022

WEB COPY

Crl.O.P.No.19251 of 2022

G.K.ILANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324, 427 and 506(ii) IPC in Crime No.93 of 2022, seek anticipatory bail.

2. The case of the prosecution is that on the date of occurrence, the defacto complainant and his workers had tried to cut a tree, the petitioners who are adjacent land owners had prevented the defacto complainant and his workers to stop the cutting of trees resulting which, there was a wordy quarrel between them and it is alleged that the petitioners have assaulted the defacto complainant, threatened him and caused injuries to him. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any such



Crl.O.P.No.19251 of 2022

WEB COPY

offence as alleged by the prosecution and they have been falsely implicated in this case. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side0 would submit that the petitioners attacked the defacto complainant and caused injuries. He would further submit that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case and also considering the fact that the injured has been discharged from the hospital, 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



Crl.O.P.No.19251 of 2022

WEB COPY

from the date on which the order copy made ready, before the ***learned Judicial Magistrate, Tiruthuraipoondi*** on condition that the petitioners shall execute separate bonds 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 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.



CrI.O.P.No.19251 of 2022

WEB COPY

[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.

16.08.2022

Vv



WEB COPY



Crl.O.P.No.19251 of 2022

G.K.ILANTHIRAIYAN, J.

Vv

Crl.O.P.No.19251 of 2022

16.08.2022



WEB COPY



Crl.O.P.No.19251 of 2022