



Crl.O.P.No. 20438 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Sections 147, 148, 294(b), 323, 324, 506(ii) and 307 IPC r/w 4 of TNWH Act, in Crime No.700 of 2021, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to wordy quarrel, while playing goli gundu, the petitioners were abused and assaulted the de-facto complainant's father and her brothers with iron vel, as a result of which the they sustained injuries. Hence, the law enforcing agency registered a complaint against the petitioners.

3. The learned counsel appearing for the petitioners submitted that already this Court, by an order dated 29.06.2021 in Crl.O.P.No.11140 of 2021, granted anticipatory bail to the petitioners. However, the petitioners have not comply with the condition. Now, the petitioners are ready and willing to comply with the condition imposed on them. Hence, he prays to grant anticipatory bail to the petitioners.

4. It is pertinent to note that this Court, already by an order



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dated 29.06.2021 granted anticipatory bail to the petitioner in Crl.O.P.No.11140 of 2021. However, the petitioners have not comply with the condition. The learned counsel for the petitioners submitted that now the petitioners are ready and willing to comply with the condition.

5. Considering the facts and circumstances of the case and also taking note of the fact that the petitioners have come forward to deposit a cost of Rs.5,000/- to the credit of COVID-19 SALEM DISTRICT; SB.A/c No : 190601000434; IFSC code : ICIC0006119; The Personal Assistant (General) to the Collector, Collectorate, Room No.117, First Floor, Salem-636 001, Ph.No.9445008148, this Court is inclined to grant anticipatory bail to the petitioners, with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the order copy is made ready, before the learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court) at Villupuram, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only)



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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 Court concerned may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity;

[b] the petitioners shall deposit a cost of **Rs.5,000/-** (Rupees Five Thousand only) as non refundable deposit to the credit of COVID-19 SALEM DISTRICT; SB.A/c No : 190601000434; IFSC code : ICIC0006119; The Personal Assistant (General) to the Collector, Collectorate, Room No.117, First Floor, Salem-636 001, Ph.No.9445008148.

[c] 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.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or



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trial.
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[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner 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]***.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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