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Crl.O.P.Nos.21379 & 21381 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, 447, 294(b), 323, 324, 307 of IPC in Crime No.890 of 2022 seek anticipatory bail.

2. The case of the prosecution is that the petitioners have illegally trespassed into the shed and abused the *de-facto* complainant in filthy language, assaulted him with deadly weapons and also attempted to kill him and also caused injuries to him . Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons. He would further submit that they have been falsely implicated in this case and they are no way connected with the alleged offence. Hence, he prays to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal side) appearing for the respondent would submit that totally, there are six accused involved in this case, in which, the petitioners has been arrayed as A3, A6, A1 and A5. They have illegally trespassed into the shed and abused the *de-facto* complainant in filthy language, assaulted him with deadly weapons and also attempted to kill him and caused grievous injuries to him. 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 victim 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 from the date on which the order copy made ready, before



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the learned **Judicial Magistrate - 1 at Tiruppur** on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 four 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 petitioner in accordance with law as if the conditions have been imposed



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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]**.

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

07.09.2022

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