



Crl.O.P.No.21557 of 2022

Crl.O.P.No.21557 of 2022

A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(i) of IPC in Crime No.292 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that due to previous enmity, the petitioners have abused the defacto complainant with filthy languages, intimidated him and assaulted with axe of frame in his left wrist and pushed him down and caused the injuries. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that in fact the defacto complainant has assaulted the petitioners in respect of which, the case has been registered in Crime No.291 of 2022 on the complaint given by the first petitioner and it is a case in counter.



Crl.O.P.No.21557 of 2022

WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that due to previous enmity, the petitioners have abused the defacto complainant with filthy languages, intimidated him and also assaulted in his left wrist and pushed him down and caused the injuries. He would further submit that there is a case in counter in **Crime No.291 of 2022** and no previous case as against the petitioners. However, he opposed for grant of bail to the petitioners.

5. Heard the learned counsel and perused the materials available on record including the First Information Report.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioners subject to the following 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 days from the date on which the order copy made ready, before



Crl.O.P.No.21557 of 2022

WEB COPY

the learned **Judicial Magistrate, Komarapalayam** on condition that the petitioner shall execute a bond for a **sum of Rs.25,000/- (Rupees Twenty Five 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., until further orders.**

[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



WEB COPY



Crl.O.P.No.21557 of 2022

A.D.JAGADISH CHANDIRA, J.

vkcr

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.

07.09.2022

vkcr

Crl.O.P.No.21557 of 2022