



Crl.O.P.No.22001 of 2022

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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(ii) IPC, in Crime No.201 of 2022, on the file of the respondent, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that due to quarrel between the petitioners and the defacto complainant on account of the love affair, the petitioners abused the defacto complainant in filthy language and assaulted him with hands and wooden logs thereby, the defacto complainant sustained injuries and he was admitted in the hospital. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further



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submit that the petitioners have also lodged counter complaint as against the defacto complainant in Crime No.200 of 2022. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that due to quarrel between the petitioners and the defacto complainant, the petitioners abused him in filthy language and assaulted him with hands and wooden logs and caused injuries. He would further submit that the injured has been discharged from the hospital on 30.08.2022. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the facts and submissions of the learned Counsel and the fact that the victim has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions;

6. Accordingly, the petitioners are directed to be released on bail in the event of their arrest or on their appearance, within a period of fifteen



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days from the date on which the order copy is made ready, before the learned Judicial Magistrate Court No.2, Mettur, on condition that each petitioner 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 everyday 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



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trial.
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[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 abscond, a fresh FIR can be registered under Section 229A IPC.

13.09.2022

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