



Crl.O.P.No.22161 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 147, 148, 341, 294(b), 323, 324, 506(ii) of IPC, in Crime No. 616 of 2022, seek anticipatory bail.

2. The case of the prosecution is that due to road rage, the petitioners and the defacto complainant had attacked each other, due to which, the defacto complainant had sustained injuries.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they are practising Advocates. While returning from the office, five persons were riding a motorcyle in a rash and negligent manner as if dashing the petitioners. When it was questioned by the petitioners, they have indiscriminately assaulted the petitioners, due to which, the petitioners had sustained grievous injuries and immediately, the petitioners had gone to the hospital and taken treatment and also informed the police. Thereafter, a case in Crime



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No.615 of 2022 has been registered. Later, as a counterblast, a false complaint has been foisted against the petitioners in Crime No.616 of 2022. Hence, he seeks for anticipatory bail to the petitioners.

4. The learned Government Advocate (crl.side) would submit that it is a case in counter and due to road rage, the petitioners and the defacto complainant had assaulted each other. Thereby, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration of the facts of the case and submissions made by the learned counsels, this Court is inclined to grant anticipatory bail 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 days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Madhavaram** on condition that the



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petitioners 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 **learned Judicial Magistrate, Madhavaram daily at 10.30 am., for a period of one week 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.



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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 absconds, a fresh FIR can be registered under Section 229A IPC.

14.09.2022

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