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Crl.O.P.No.22190 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 alleged offences punishable under Sections 294(b), 323 & 506(2) of IPC, in Crime No.393 of 2022, seek anticipatory bail.

2. The case of the prosecution is that on 10.09.2022, the petitioners had quarrelled with the de-facto complainant and others, who were working in the hotel, in an inebriated condition and abused them in a filthy language and attacked them. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and the false case has been foisted against them. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. Per contra, the learned Government Advocate (Crl.Side) would submit that the petitioners in a inebriated condition quarrelled with the de-facto complainant and other employees in hotel and abused them in a filthy language and attacked the de-facto complainant. He would also submit that there is a previous case as against the second petitioner and there is no previous as against other petitioners. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:



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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-3, Coimbatore**, on condition that the petitioners shall execute a separate 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 stands 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;



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

[d] the petitioner 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 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.

**15.09.2022**

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