



Crl.O.P.No.23140 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, 294(b), 324, 506(ii) of IPC and Section 4 of Women Harassment Act in Crime No.157 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Pazhani is that the petitioners along with the other accused had assaulted the defacto complainant with hands and at the knife point had threatened him with dire consequences. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and due to enmity between two groups, the petitioners' names have been implicated in this case. He would further submit that the main accused in this case have been arrested and enlarged on bail and as far as these petitioners are concerned, the first petitioner is aged about 19 years and second petitioner is aged about 23



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years and they have no previous cases pending against them. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) would submit that the petitioners along with other accused had unlawfully assembled with deadly weapons and threatened the villagers with iron rod and knife. No body was injured and the main accused in this case has been arrested and released on bail. He would submit that there is no previous cases pending against the petitioners. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking note of the facts and circumstances and also taking note of the fact that there is no previous cases pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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



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from the date on which the order copy made ready, before the **learned District Munsif Cum Judicial Magistrate Court at Pallipet**, 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 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 every day at 10.30 am until further orders.

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[f] the petitioners shall not abscond either during investigation or trial;



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[g] 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]*; and;

[h] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

23.09.2022

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