



Crl.O.P.No.22803 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 and 307 of IPC in Crime No.109 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on account of a dispute regarding Administration and Management of a Temple, a peace committee meeting was conducted by the Tahsildar concerned and he had passed an order for *status quo*. While so, the petitioner along with the other accused have trespassed into the land belonging to the *de-facto* complainant and assaulted the *de-facto* complainant's brother with Aruval and Iron rods resulting in him sustaining injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and an exaggerated complaint has been given as a counter complaint with regard to the Administration and



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Management of a Temple and the counter parties are the persons, who are the aggressor. He would also submit that it is a case in counter given by the *de-facto* complainant to the complaint given by the petitioners in Crime No.116 of 2022. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the occurrence took place on 25.08.2022 and a subsequent case was registered on 19.09.2022. He would further submit that the injured have been discharged. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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



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days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Veppanthattai**, on condition that each of 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 everyday at 10.30 a.m. and 5.30 p.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.



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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.

13.10.2022

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