



Crl.O.P.No.22920 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), 323, 324, 506(ii) of IPC, 1860 and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 2002 in Crime No.621 of 2022, seek anticipatory bail.

2. The case of the prosecution is that on 09.09.2022, the informant's village persons conducted a Village Temple Festival. In the temple festival, there was an altercation between the petitioners and the defacto complainant. On account of the previous enmity, the petitioners along with other accused armed with deadly weapons had assaulted the defacto complainant and others. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent and they have been nothing to do with the alleged offence. He would further submit that they have no previous cases pending against them and on the complaint given by the petitioner's side, a counter case has been registered against the informant



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parties in Crime No.622 of 2022. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) would submit that the due to previous enmity, the petitioners along with other accused had assaulted the defacto complainant. He would submit that there is no previous case pending against the petitioners and there is no external injuries. 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 case 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 from the date on which the order copy made ready, before the **learned**



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Judicial Magistrate II, Kancheepuram, 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 for a period of two weeks and thereafter every Saturday 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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