



Crl.O.P.No.23119 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 147, 294 (b), 323 & 506 (2) of IPC in Crime No.395 of 2022, seek anticipatory bail.

2. The case of the prosecution is that during the temple festival, the petitioners have unlawfully assembled there and due to the previous enmity, abused the de-facto complainant and other villagers in a filthy language and attacked them with knife, due to which they sustained injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioners would submit that during the temple festival, there was a wordy quarrel and due to the previous enmity, the de-facto complainant has given an exaggerated complaint against the petitioners. He would further submit that infact the defacto complainant has assaulted the petitioners and



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based on the first complaint given by the petitioners, a case in Crime No.394 of 2022 has been registered against the defacto complainant. Hence, he prays for grant of bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that there exist a previous enmity between the petitioners and the defacto complainant and during the temple festival, the petitioners have abused and attacked the de-facto complainant and others with knife. He would also submit that the injured have been discharged from the hospital and hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration the facts of the case and the submissions made by the learned counsel and also of the fact that the injured have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:



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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 days from the date on which the order copy made ready, before the learned **Judicial Magistrate -I, Thiruvallur**, on condition that each of the petitioners shall execute 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 petitioner 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 daily at 10.30 a.m for a period of four weeks and thereafter every Saturday at 10.30 a.m., until further orders.



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[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC;

23.09.2022

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