



Crl.O.P.No.23470 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 and 506(ii) IPC, in Crime No.391 of 2022, on the file of the respondent, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that the defacto complainant while riding his two wheeler, the second petitioner hit his bike from behind which was questioned by the defacto complainant the petitioners abused him in filthy language, intimidated and also assaulted him with iron rod. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocents and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners have been falsely implicated in this case and a counter complaint has been lodged against the defacto complainant in Crime



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WEB COPY No.392 of 2022. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that while the first petitioner was driving his vehicle and hit on the old lady, which was questioned by the defacto complainant due to which, the petitioners abused the defacto complainant in filthy language, intimidated and assaulted him thereby, he sustained simple injury. He would further submit that the petitioners also lodged counter complaint as against the defacto complainant in Crime No.392 of 2022 and the petitioners have no previous case against them. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances, 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 directed to be released on bail in the event of their arrest or on their appearance, within a period of fifteen days from the date on which the order copy is made ready, before the learned Judicial Magistrate Court, Gudiyatham, on condition that each petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten 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., for a period of four weeks and thereafter, every Saturday at 10.30 a.m., until further orders.

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



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[d] the petitioners 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 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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