



Crl.O.P.No.24904 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 offence punishable under Sections 147, 148, 294(b), 323, 307, 506(ii) I.P.C. in Crime No.456 of 2022, on the file of the respondent police, seek bail.

2.The case of the prosecution is that on account of enmity due to financial dispute, the accused had assaulted the defacto complainant indiscriminately with knife, resulting in him sustaining injuries. Hence the complaint.

3.Learned counsel appearing for the petitioners would submit that the petitioners are innocent and a false complaint has been given against them. He would further submit that some of the accused are enlarged on bail by the Lower Court in C.M.P.No.4990 of 2022 and C.M.P.No.5026 of 2022 on 13.10.2022.



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4.Learned Government Advocate (Crl.side) vehemently oppose, stating that the petitioners along with other accused had attacked the defacto complainant indiscriminately with knife, resulting in him sustaining injuries. He added that some of the co-accused are enlarged on bail by the Lower Court in C.M.P.No.4990 of 2022 and C.M.P.No.5026 of 2022 on 13.10.2022. The injured has also been discharged from the hospital.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side). Perused the materials placed on record, including F.I.R.

6.Taking note of the facts and circumstances and the submissions of the learned counsel for the petitioners and considering the fact that some of the accused are enlarged on bail by this Court and the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in



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the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.VII, Coimbatore, 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 everyday at 10.30 a.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]; and;

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

14.10.2022

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