



Crl.O.P.No.26771 of 2022

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A.D.JAGADISH CHANDIRA.J.

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The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No.400 of 2022, seek anticipatory bail.

2.The case of the prosecution is that the petitioners along with A1 in an inebriated conditions have abused the defacto complainant in filthy language, assaulted him with hands and knife. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and due to previous enmity, a false complaint has been given against them. He would further submit that the arrested accused in this case has been enlarged on bail. Hence, he seeks for anticipatory bail to the petitioners.



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4. The learned Government Advocate (crl.side) appearing for the respondent would submit that the petitioners along with A1 in an inebriated conditions have abused the defacto complainant in filthy language, assaulted him with hands and knife. He would further submit that there is no previous case pending against the petitioners. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking note of the facts and circumstances and also of the submissions made by the learned counsel, 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 days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Uthukottai, Thiruvallur District** 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



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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 a.m., 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;

[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;



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

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