



Crl.O.P.No.27119 of 2022

Crl.O.P.No.27119 of 2022

A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 506(1) and 109 of IPC in Crime No.430 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to a dispute with regard to management of the Temple, the petitioners and the *de-facto* complainant had abused and intimidated each other. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the



CrI.O.P.No.27119 of 2022

respondent would submit that due to a dispute with regard to management of the Temple, the petitioners and the *de-facto* complainant had abused and intimidated each other. He would further submit that as far as the 4th petitioner is concerned, he has got 7 previous cases pending against him and as far as the 1st, 2nd and 3rd petitioners are concerned, there is no previous case pending against them. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel. Taking into consideration the facts and the submissions, this Court is inclined to grant anticipatory bail to the 1st, 2nd and 3rd petitioners alone with certain conditions. In so far as the 4th petitioner is concerned, since he has got 7 previous cases, this Court is not inclined to grant anticipatory bail to the 4th petitioner.

6. Accordingly, as far as the 4th petitioner is concerned, this petition is dismissed and as far as the 1st, 2nd and 3rd petitioners are concerned, the 1st, 2nd and 3rd petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of



Crl.O.P.No.27119 of 2022

fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Madhavaram**, on condition that each of 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 1st, 2nd and 3rd 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 1st, 2nd and 3rd petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders.

[c] the 1st, 2nd and 3rd petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the 1st, 2nd and 3rd petitioners shall not abscond either during investigation or trial.



WEB COPY



Crl.O.P.No.27119 of 2022

A.D.JAGADISH CHANDIRA, J.

mpl

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the 1st, 2nd and 3rd petitioners in accordance with law as if the conditions have been imposed and the 1st, 2nd and 3rd 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.

11.11.2022

mpl

Crl.O.P.No.27119 of 2022