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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, 341, 294(b), 323, 324 and 506(ii) of IPC, in Crime No.277 of 2022, seek anticipatory bail.

2. The case of the prosecution is that on 24.10.2022, the de facto complaint went to the petitioners village to pick up his brother, who had already involved in a fight with the first petitioner's son and while, the de facto complaint and his brother were returning on the way, the petitioners had intercepted them at the bridge of the village, abused them in a highly filthy language and assaulted them with wooden log and stones and thereby caused severe injuries, resulting them in sustaining injuries. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any such



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offence as alleged by the prosecution. He would further submit that the second petitioner (A3) in this case is withdrawing the petition. Hence, he prays to grant anticipatory bail to the first and third petitioners (A1 & A6).

4. The learned Government Advocate (Criminal Side) would submit that due to previous enmity, the petitioners attacked the de facto complainant and his brother with wooden log and stones, thereby, caused severe injuries. He would further submit that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and also the submission of both sides, this Court is inclined to grant anticipatory bail to the first and third petitioners (A1 & A6) with certain conditions.



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7. Accordingly, the first and third petitioners/A1 & A6 is 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 Judicial Magistrate Court, Thiruvarur** on condition that each of the petitioners shall execute a 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 first and third petitioners/A1 & A6 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 first and third petitioners/A1 & A6 shall report before the respondent police daily at 10.30 a.m., until further orders.**

[c] the first and third petitioners/A1 & A6 shall not tamper with evidence or witness either during investigation or trial.

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[d] the first and third petitioners/A1 & A6 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 absconds, a fresh FIR can be registered under Section 229A IPC.

8. Accordingly, this Criminal Original Petition is ordered for the first and third petitioners/A1 & A6 and dismissed as withdrawn for the second petitioner/A3.

04.11.2022

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