



Crl.O.P.No.28106 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, 447, 294(b), 323, 379 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.511 of 2022 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that, due to previous enmity, on account of civil dispute, the petitioners have picked up a wordy quarrel with the defacto complainant, wherein they had assaulted each other. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that co-accused in this case had been granted anticipatory bail by this Court in Crl.O.P.No.26352 of 2022 dated 01.11.2022. Hence he seeks to grant anticipatory bail in respect of



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the petitioners.

4. The learned Additional Public Prosecutor would submit that, due to previous enmity, on account of civil dispute, the petitioners have picked up a wordy quarrel with the defacto complainant and also assaulted him. Hence, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and submission that it is a case and case in counter and further co-accused were granted anticipatory bail, this Court is inclined to grant Anticipatory Bail 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 Court, Omalur on condition that the 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



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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 two weeks and thereafter as and when required.

[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.

[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.**



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State of Kerala [(2005)AIR SCW 5560].

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[f] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

24.11.2022

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