



Crl.O.P.No.28618 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 294(b), 341, 307, 506(ii) and 120B of IPC in Crime No.713 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that due to previous enmity, the petitioners along with other accused had abused the defacto complainant in filthy language, assaulted him and also attempted to murder him. Hence the complaint.

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

4.The learned Additional Public Prosecutor would submit that



Crl.O.P.No.28618 of 2022

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due to previous enmity, the petitioners along with other accused had abused him in filthy language, assaulted him and also attempted to murder him. He would further submit that there is no previous case pending against them. Hence he vehemently opposed for grant of anticipatory bail to the petitioners.

5.Heard the learned counsel for the petitioners as well as the learned Additional Public Prosecutor for the respondent and perused the entire materials available on record.

6.Taking into consideration the facts and submission of the learned counsel and the co-accused in this case have already been enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioners.

7.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



Crl.O.P.No.28618 of 2022

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the learned Judicial Magistrate No.I, Villupuram 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 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 daily 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;

[e] On breach of any of the aforesaid



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Crl.O.P.No.28618 of 2022

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;

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Crl.O.P.No.28618 of 2022

A.D.JAGADISH CHANDIRA, J.

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Crl.O.P.No.28618 of 2022

22.11.2022