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Crl.O.P.No.30102 of 2022

T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offence under Sections 147, 148, 294(b), 323, 324, 379 and 506(i) of IPC in Cr.No.79 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant who is an agriculturist growing many trees in his land. The petitioner along with other accused is said to have cut the trees of the defacto complainant. When he questioned about the same, the petitioner along with other accused picked up wordy quarrel, abused and also assaulted the defacto complainant and his family members with deadly weapons and thereby causing grievous injuries to them. Hence, the complaint.

3.The learned counsel appearing for the petitioner submits that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.



4.The learned Government Advocate (Crl.Side) appearing for the respondent submits that this is a case in counter. He further submitted that the injured persons have been discharged from the hospital. However, he opposed vehemently to grant anticipatory bail to the petitioners.

5. Considering the fact that the injured persons have been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned *Judicial Magistrate, Thirukovilur*, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only) each**, 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 and on further conditions that:

(a) 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 1 to 5 shall report before the respondent police on every Wednesday for a period of eight weeks; the petitioners 6 to 10, shall report before the respondent police as and when required and thereafter they shall appear before the trial court on all hearing dates without fail;

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

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.



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gv

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07.12.2022