



Crl.O.P.No.30760 of 2022

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 341, 294(b), 324 and 506(ii) of IPC in Crime No.209 of 2018, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioners along with other accused have waylaid the son of the defacto complainant, abused him in filthy language and also assaulted him with wooden stick and iron rod. Hence the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and due to previous enmity, a false complaint has been given against them. He would further submit that the petitioners, without prejudice to their rights, they are ready and willing to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) jointly to the credit of crime No.209 of 2018 and they have no objection in the amount being disbursed to the defacto complainant for medical expenses. Hence,



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he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that due to previous enmity, the petitioners have waylaid the son of the defacto complainant and abused him in filthy language and also assaulted him with wooden stick and iron rod. 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.Taking into consideration the facts of the case and the submissions made by the learned counsel and also taking note of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.209 of 2018, within a period of two weeks from the date on which the order



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copy made ready, and on such deposit, 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 No.II, Ponneri on condition that the petitioners shall execute separate 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, 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 deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.209 of 2018, within a period of two weeks from the date of receipt of a copy of this



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order. On such deposit, the learned Magistrate shall disburse the amount deposited to the credit of Crime No.209 of 2018 to the defacto complainant.

[c] the petitioners shall report before the respondent police on every Wednesday at 10.30 a.m., for a period of eight weeks.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;

[f] 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]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC;



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