

Crl.O.P.No.31266 of 2022

T.V.THAMILSELVI, J.

The petitioners, who apprehends arrest for the alleged offence under Sections 294(b),341,323 and 506(ii) of IPC in Cr.No.353 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, due to previous enmity the petitioners attacked the defacto complainant and threatened him with dire consequences. Hence, the law enforcing agency registered a case against the petitioners.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned **Government Advocate (Crl side)** submits that due to previous enmity the petitioners attacked the defacto complainant and also threatened him with dire consequences. However, he oppose for granting anticipatory bail to the petitioners.



WEB COPY

5. Considering the facts and circumstances of the case and the submissions, 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 his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate-II, Ponneri** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the first petitioner shall report before the respondent police everyday at 10:30 for a period of three weeks and the second petitioner shall appear on every Sunday at 10.30 a.m. for a period of three weeks 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 conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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.

20.12.2022

smn

T.V.THAMILSELVI, J.

smn



WEB COPY



CrI.O.P.No.31266 of 2022

20.12.2022