



Crl.O.P.No.31668 of 2022

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 149, 294(b), 336, 324, 427 and 506(ii) of IPC in Crime No.442 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is an Accountant in “Ariya Nattu South and West Fishermen Panchayat”. While being so, on 12.12.2022, a meeting was held at the community Hall. During the meeting, there was a dispute between the members with regard to account details of the said Panchayat. Due to which, the petitioners along with other accused persons have abused the defato complainant and his friends and they have also attacked them with stones and wooden rod, causing injuries to them. Hence, the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged. He would also submit that it is a case and a case in counter.



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He would further submit that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) would submit that there are totally 15 accused. During the meeting conducted by the Fishermen Panchayat in a community hall, there was a wordy quarrel between the petitioners and other members of the said Panchayat. Due to which, the petitioners have damaged the community hall. They have also abused the defacto complainant and others and attacked them. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners 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



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learned Judicial Magistrate, Kilvelur on condition that each of the petitioners shall execute a separate 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, 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 on every Saturday at 10.30 a.m. for a period of six (6) weeks;

[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;



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[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];**

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

22.12.2022

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