



Crl.O.P.No.31814 of 2022

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T.V.THAMILSELVI, J.

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The petitioners who apprehend arrest for the alleged offence under Sections 294(b), 323, 324 and 506(ii) of IPC in Cr.No.355 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to the performance of black magic, there was a quarrel between the petitioners and the defacto complainant and as a result the defacto complainant sustained injury. Hence, the defacto complainant registered a case against the petitioners.

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 further submitted that they are falsely implicated in the complaint. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that a case in counter was registered against the defacto complainant. Hence, he opposed for grant of anticipatory bail to the petitioners.



5. On considering the submissions made by the learned counsel on both sides, this Court is inclined to grant anticipatory bail to the petitioners.

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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Edapadi**, 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 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 petitioners shall report before the respondent police as and when required for interrogation;

(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]***; and;

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

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