

Crl.O.P.No.31862 of 2022**T.V.THAMILSELVI, J.**

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The petitioners who apprehend arrest for the alleged offence under Sections 294 (b), 442, 324, 307, 506(2) and 392 IPC in Cr.No.507 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that petitioners are arrayed as A1 and A2. The petitioners were running an Advocate Office next to where the defacto complainant was working. Due to an existing land dispute between the petitioners and the defacto complainant, the petitioner abused the defacto complainant and his associates in a filthy languages and attacked them with reeper. Due to which, the defacto complainant sustained grievous injuries. Subsequently, the petitioners had grabbed 1.5 Sovereign gold chain and Redmi cell phone of defacto complainant. Hence, the case.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution. He would further submit that the petitioner 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 the petitioners abused the defacto complainant with unparliamentary words and they attacked the defacto complainant. Due to



which, defacto complainant caused grievous injuries. He further submits that the investigation is almost completed.

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5. Considering the facts and circumstances of the case and also submission made by the learned Government Advocate (Crl.Side), 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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Sirkazhi**, 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 on every Saturday at 10.30 a.m. for a period of four weeks and thereafter, as and when required for interrogation;



(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

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(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.

23.12.2022

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To
The Judicial Magistrate,
Sirkazhi.

T.V.THAMILSELVI, J.

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