

Crl.O.P.No.32208 of 2022

T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offence under Sections 294(b), 324, 506(ii) IPC in Cr.No.322 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners threw garbage on the road and when the same was questioned by the defacto complainant, there arose a wordy quarrel, in which the first petitioner assaulted him with reaper. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioners are innocent persons and they 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 would submit that petitioners threw garbage on the road and when the same was questioned by the defacto complainant, there arose a



wordy quarrel, in which the first petitioner assaulted him with reaper.

Hence, he oppose for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and that there was a dispute between the neighbours, 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 **Judicial Magistrate Court No.II, Tirupattur** on condition that 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 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;



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(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;

(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 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.

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