

Crl.O.P.No.32030 of 2022**T.V.THAMILSELVI, J.**

The petitioners, who apprehend arrest for the alleged offence under Sections 147, 148, 448, 294(b), 323, 324, 307 and 506 (2) Indian Penal Code in Cr.No.512 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners who are arrayed as A1 and A3. There was a dispute between petitioners and the defacto complainant regarding parking of the Auto in which the petitioners abused the defacto complainant in filthy language and attacked on his hand with Bill hook. Hence, the defacto complainant sustained injuries. Thereby, the law enforcing agency registered a case against the petitioners.

3.The learned counsel appearing for the petitioners submits that the petitioners have not been committed any offence as alleged by the prosecution. She further submits that when the petitioners went to take photograph of the cashew grove, the defacto complainant questioned and stopped them. She would further submit that the petitioners also sustained injuries. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl side) appearing for the



respondent submits that injured person has been treated as out patient and discharged from the hospital.

5. Considering the fact that the injured has been discharged from the hospital, 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 No.II, Uludurpet** 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 daily on every Wednesday at 10.30 a.m. for a period of six weeks and thereafter, 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 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
Judicial Magistrate No.II, Uludurpet

T.V.THAMILSELVI, J.

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