



Crl.O.P.No.32209 of 2022

T.V.THAMILSELVI, J.

WEB COPY

The petitioners, who apprehend arrest for the alleged offence under Sections 147, 148, 294 (b), 324, 448, 427, 307 of IPC in Cr.No. 143 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to fishing dispute, there was a wordy quarrel arose between the petitioners and the defacto complainant. During the said quarrel, the petitioners abused the defacto complainant and her husband in an unparliamentary words, assaulted and damaged the houses belonging to the defacto complainant. Hence, the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are belonging to fisherman community. The defacto complainant and her family members created problem and they assaulted the petitioners due to which, there was a wordy quarrel arose between them. He submits that the petitioners also sustained grievous injuries. He would further submit that there is a case in counter registered against the defacto complainant. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.



WEB COPY

4.The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioners abused the defacto complainant in filthy languages, assaulted and threatened with dire consequences. He further submits that the injured person still in hospital. Hence, he vehemently opposed to grant anticipatory bail to the petitioners

5. Considering the fact that the it is a case and a case in counter, 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, Ponneri**, 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



Crl.O.P.No.32209 of 2022

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 petitioner shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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

dk

To
The Judicial Magistrate No.II
Ponneri.



WEB COPY



Crl.O.P.No.32209 of 2022

T.V.THAMILSELVI, J.

dk

Crl.O.P.No.32209 of 2022

23.12.2022