

Crl.O.P.Nos.718 & 776 of 2023

T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offence under Sections 448, 427, 380 and 307 IPC in Cr.No.830 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to a previous enmity, the petitioners along with the other accused have attempted to murder the defacto complainant. Hence, the defacto complainant lodged a complaint before the respondent police.

3.The learned counsel appearing for the petitioner submits that the petitioners are innocent persons and they have been falsely implicated in this case. He would submit that due to previous enmity, the defacto complainant has given a false complaint against the petitioners. Hence, he prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to previous enmity, the petitioners along



with the other accused have attempted to murder the defacto complainant.

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

5. Considering the facts and circumstances of the case and that due to previous enmity, the petitioners have attempted to commit such offence, 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, Keeranur, Pudukottai District** 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 petitioner in Crl.O.P.No.718 of 2023 shall report before the respondent police every Saturday at 10.30 a.m. for a period of three months and thereafter, appear before the trial Court on all hearing dates. Insofar as the petitioner in Crl.O.P.No.776 of 2023 is concerned, he shall appear 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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