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Crl.O.P.No.895 of 2023



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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 341, 427 and 506(i) IPC in Crime No.140 of 2022, seek anticipatory bail.

2. The case of the prosecution is that due to a civil dispute, quarrel arose between the petitioners and the defacto complainant. Due to previous enmity the petitioners abused the defacto complainant, threatened him and damaged front side windscreen of the car, which is worth about Rs.3,000/-. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that the defacto complainant and one Govindan attacked the first petitioner and attempted to kill the first petitioner by dashing him against by car, due to which the petitioner lodged a complaint in Crime No.141 of 2022. He would further submit that the petitioners have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.Side) would submit that the it is a case in counter. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts and the submissions and that the petitioners are ready and willing to deposit some amount to the credit of Cr.No.140 of 2022, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioners are directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Crime No. 140 of 2022 within a period of three weeks from the date on which the order copy made ready**, and on such deposit the petitioners are ordered to be released on bail in the event of arrest or on their appearance, before the learned **Judicial Magistrate Court No.II, Attur**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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, failing which, the petition for



anticipatory bail shall stand dismissed and on further condition that:

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[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall deposit a sum of **Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Crime No.140 of 2022 within a period of three weeks** from the date on which the order copy made ready

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] **the petitioners shall appear before the respondent police every Wednesday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation.**

[e] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioners shall not abscond either during investigation or trial.

[g] 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]**.

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[h] If the accused thereafter abscond, a fresh FIR can be registered under Section 229A IPC.

12.01.2023

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