



CrI.O.P.No.1180 of 2023

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest at the hands of the respondent Police for the offences punishable under Sections 147, 294(B), 323, 427 and 506(2) of IPC, in Crime No.193 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that, due to wordy quarrel between the petitioners and the defacto complainant with regard to civil dispute, as a result, the petitioners abused the defacto complainant with unparliamentary words and assaulted him by causing injuries to him. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and that they have been falsely implicated in this case. He also submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl.Side) submitted that there was a wordy quarrel between the petitioners and the defacto complainant, as a result, the petitioners assaulted and caused injuries to the defacto complainant. He further submits that the petitioners have no previous case pending against them. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6.Considering the facts and circumstances of the case and the submissions made by the learned counsel, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7.Accordingly, the petitioners are directed to **deposit a sum of**



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Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Crime

No.193 of 2022 and on such deposit, 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 on which the order copy made ready, before the learned **Judicial Magistrate Court, Sirkali**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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:

[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) to the credit of Crime No.193 of 2022 before the learned Judicial Magistrate, Sirkali, within fifteen days from the date of receipt of a copy of this order and on such deposit, the de-facto complainant is permitted to withdraw the



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same, on filing undertaking affidavit and proper identification and acknowledgment;

(c) the petitioners shall appear before the respondent police as and when required for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

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