



Crl.O.P.No.1460 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 Section 294(b), 323, 324, 506(ii) of IPC in Crime No.420 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, wordy quarrel arose between the 1st petitioner and the defacto complainant. On 16.12.2022, when the defacto complainant had came out from the wine shop, the petitioner had assaulted the defacto complainant. To which the defacto complainant sustained injuries on head and hands. Hence, the complaint.

3.The learned counsel appearing for the petitioner would submit that due to previous enmity, the defacto complainant, along with three others, had attacked the petitioners severely due to which the 1st petitioner had sustained fracture on his hand and he was hospitalized for treatment



Crl.O.P.No.1460 of 2023

WEB COPY

and in order to escape from the clutches of law, the defacto complainant gave a false complaint as against the petitioner. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit the injured in discharged from the hospital. Hence, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts and the submissions and that the petitioner is ready and willing to deposit some amount to the credit of Cr.No.420 of 2022, this Court is inclined to grant anticipatory bail to the petitioners 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. 420 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 his appearance, before



Crl.O.P.No.1460 of 2023

the learned **Judicial Magistrate, Paramathi, Namakkal District**, on condition that the petitioners shall execute a 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, 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 Only) to the credit of Crime No.420 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 on every **Saturday at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation.**

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Crl.O.P.No.1460 of 2023

WEB COPY

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[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]**.

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

25.01.2023

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Crl.O.P.No.1460 of 2023