



Crl.O.P.No.1474 of 2023

Crl.O.P.No.1474 of 2023

T.V.THAMILSELVI, J.

WEB COPY

The petitioners, who apprehends arrest for the alleged offence punishable under Sections 147, 148, 341, 324 and 506(ii) of IPC in Crime No.9 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on 10.01.2023, there was a wordy quarrel between the petitioners and the defacto complainant due to which, the petitioners have attacked the defacto complainant and abused him in a filthy language. Hence, the complaint.

3. The learned counsel appearing for the petitioners submit that the petitioners are innocent person and they have not committed any offence as alleged by the prosecution. He further submits that the petitioners are no way connected with the alleged offence. Hence, he prays for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.Side) appearing for the respondent police submits that the petitioners had attacked the defacto complainant and abused him in a filthy language. He would further submit that there are three previous cases pending as against the petitioners. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also considering the submissions made by the both counsel, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance before the **learned Judicial Magistrate II, Coimbatore** on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten thousand only)** with two sureties (out of which one surety should be a blood related surety) each for a like sum to the satisfaction of the respondent



Crl.O.P.No.1474 of 2023

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 are directed to report before the respondent police daily at 10.30 a.m., for a period of one month and thereafter as and when required for interrogation.

[c] the petitioners shall deposit a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** to the credit of Crime No.9 of 2023 within a period of two weeks from the date of receipt of copy of this order before the lower Court and on such deposit, the learned Magistrate shall disburse the above amount to the defacto complainant.

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



WEB COPY



Crl.O.P.No.1474 of 2023

[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];**

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

25.01.2023

jai



WEB COPY



Crl.O.P.No.1474 of 2023

T.V.THAMILSELVI, J.

jai

Crl.O.P.No.1474 of 2023

25.01.2023