



Crl.O.P.No.1584 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 294(b), 284, 506(ii) of IPC in Crime No.27 of 2023 seeks anticipatory bail.

2. The case of the prosecution is that on 16.01.2023 the petitioners had mixed poisonous medicine in the common well. On seeking that the defacto complained questioned them, due to which they abused the defacto complainant in filthy language and threatened with dire consequences. Hence, the complaint.

3. The learned Counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and a false case has been foisted against them. Hence, he prays for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (Crl.side) for the respondent police submitted that on 16.01.2023 the petitioners had mixed poisonous medicine in the common well. On seeking that the defacto complained questioned them, due to which they abused the defacto complainant in filthy language and threatened with dire consequences. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.Considering the facts and circumstances of the case and also the submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioners with certain 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, Kangeyam** on condition that each of 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



Crl.O.P.No.1584 of 2023

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 are directed to report 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



Crl.O.P.No.1584 of 2023

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]**.

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

25.01.2023

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CrI.O.P.No.1584 of 2023

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Crlo.O.P.No.1584 of 2023

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