



Crl.O.P.No.3078 of 2023

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 506(ii) IPC in Crime No.40 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that while the defacto complainant purchase goods for his house, at that time, the petitioners intervened and had a wordy quarrel and thereby, the petitioners assaulted the defacto complainant causing injury to him. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioners.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that due to wordy quarrel, the petitioners assaulted the defacto complainant by causing injury to him. He further submits that the injured has been discharged from the hospital. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts of the case and the submissions made by the learned counsel and also the fact that the injured has been discharged from the hospital, 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 his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate No.I Thindivanam*, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), each 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



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Magistrate concerned 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall 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 has been imposed and the petitioners is 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;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

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