



CrI.O.P.No.3479 of 2023

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T.V.THAMILSELVI, J.

The petitioners, who apprehend arrest for the alleged offence punishable under Sections 294(b), 323, 324, 355 & 506(2) of IPC in Cr.No. 21 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity with regard to stealing of vegetables from the de-facto complainant's farm, the petitioners herein abused the de-facto complainant by using filthy language and attacked him with lethal weapons, due to which, the de-facto complainant sustained grievous injuries and got admitted in the hospital. Hence, this complaint.

3. Learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He would further submit that there is a case in counter registered against the de-facto complainant. Hence, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (CrI.side) would submit that due to previous enmity, these petitioners attacked the de-facto complainant by



using deadly weapons, due to which, the de-facto complainant sustained injuries and got admitted in the hospital. Hence, he vehemently opposed to grant anticipatory bail to the petitioners

5. Considering the fact that it is a case and a case in counter, this Court is inclined to grant anticipatory bail to the petitioners.

6. Accordingly, 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 of receipt of a copy of this order, before the learned **Judicial Magistrate No.II, Mannargudi**, 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 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



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identity;

(b)the 1st and 2nd petitioners shall report before the respondent police on every Saturday at 10.30. a.m., for a period of six weeks and thereafter as and when required for interrogation and the 3rd & 4th 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 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]***; and;

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



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