



Crl.O.P.No.3236 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), 323, 324 & 506(ii) of IPC, in Crime No.134 of 2022, seek anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant due to previous enmity, the petitioners abused the defacto complainant using filthy language and assaulted the defacto complainant with knife on hand and stomach and threatened him in dire consequences. Hence, the complaint.

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



Crl.O.P.No.3236 of 2023

WEB COPY

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that there are 3 accused involved in this case and the petitioners herein are A2 and A3. He further submits that there was a wordy quarrel between the petitioners and the defacto complainant due to previous enmity, the petitioners abused and attacked the defacto complainant with knife and threatened him in dire consequences. 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 their appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate, Katpadi*, on condition that the petitioners shall execute a bond



CrI.O.P.No.3236 of 2023

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 identity;

[b] the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders;

[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;



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Crl.O.P.No.3236 of 2023

T.V.THAMILSELVI, J.

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

14.02.2023

drl

Crl.O.P.No.3236 of 2023