



Crl.O.P.No.3509 of 2023

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**T.V.THAMILSELVI, J.**

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The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 323, 324, 427 and 506(i) of I.P.C, in Crime No.56 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 18.01.2023 at about 8 a.m., the defacto complainant along with her mother have talking with one Seetha/2nd petitioner while heated arguments between them, at that time, these petitioners came to the spot and have abused and assaulted the defacto complainant with hands and also damaged the wind shield of the Auto, which is parked near by the house of the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are an innocent person and they have been falsely implicated in this case. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the



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respondent would submit that on 18.01.2023 at about 8 a.m., the defacto complainant along with her mother have talking with one Seetha/2nd petitioner while heated arguments between them, at that time, these petitioners came to the spot and have abused and assaulted the defacto complainant with hands and also damaged the wind shield of the Auto, which is parked near by the house of the defacto complainant. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the above facts and circumstances of the case and 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 days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate Court, Omalur**, on condition that 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 and



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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 first and third petitioners shall report before the respondent police every Wednesday at 10.30 a.m., for a period of four weeks and thereafter as and when required and other 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



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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].

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

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**16.02.2023**

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