



Crl.O.P.No.4316 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), 324, 427, 307 and 506(ii) of IPC in Crime No.57 of 2023, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity, the petitioners along with other accused have abused the defacto complainant in a filthy language and also assaulted him with iron rod and knife. Hence the case.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that they are no way connected with the alleged offence. Hence, he prays for grant of anticipatory bail to the petitioners.



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4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to previous enmity, the petitioners along with other accused have abused the defacto complainant in a filthy language and also assaulted him with iron rod and knife. He would submit that the injured has been discharged from the hospital. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.In reply, the learned counsel for the petitioners would submit that without prejudice, the petitioners are totally ready and willing to deposit a sum of Rs.10,000/- to the credit of crime number and they are no objection in the amount being disbursed to the defacto complainant and he would pray for grant of anticipatory bail to the petitioners.

6.Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

7.Considering the facts and circumstances of the case and also the submissions made by the learned counsel and the injured has been



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discharged from the hospital, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8.Accordingly, the petitioners are directed to **deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.57 of 2023**, without prejudice to their rights and contentions before the trial Court, on such deposit and production of proof, 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 on which the order copy made ready, before the learned Judicial Magistrate No.II, Thiruvallur, on condition that each of the petitioners shall execute a separate 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 anticipatory bail shall stand dismissed and on further condition that:

[a]the petitioner 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 petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.57 of 2023, within a period of two weeks from the date of receipt of a copy of this order. On such deposit, the learned Magistrate shall disburse the amount deposited to the credit of Crime No.57 of 2023 to the defacto complainant.

(c) the petitioner shall report before the respondent police on every Sunday at 10.30 a.m., for a period of six weeks.

(d)the petitioner shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioner shall not abscond either during investigation or trial;

(f) 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]*;



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and;

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

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