



Crl.O.P.No.4877 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 506(ii) of IPC in Crime No.121 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the de facto complainant is an Advocate. On 12.02.2023 at about 3.30 p.m., the de facto complainant and his friends were chatting near Jaisuriya Engineering College. At that time, the petitioners who came there and questioned as to why they were standing and threatened them to give money or else, they would call their friends and do away their lives. When the de facto complainant refused to give money, the 1st petitioner called one Prasanth and other friends over phone. Subsequently, the said Prasanth who came to the place of occurrence, assaulted the de facto complainant and his friends. Thereafter, he attempted to attack with knife and asked to give money as demanded by his friends. Hence, the de facto complainant and his friends, in order to safeguard their lives, escaped from the place of occurrence and lodged the complaint. Hence, the case.



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3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would also submit that there is no previous case as against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) would submit that the petitioners abused the de facto complainant and his friends with filthy language and assaulted them by demanding money and also attempted to attack with knife. He would further submit that the petitioners have no previous case against them. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the above facts and circumstances of the case and the submissions made on both sides, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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7. 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 on which the order copy made ready, before **the Judicial Magistrate Court-I, Tiruvallur**, on condition that each of the petitioner shall execute a separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity.

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



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[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 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.

06.03.2023

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