



Crl.O.P.No.6902 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) and 324 of IPC in Crime No.208 of 2023, seek anticipatory bail.

2. The case of the prosecution is that due to money dispute, on 16.03.2023, the petitioners went to the defacto complainant's house, abused him with filthy language and also assaulted him with plastic pipe. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and a false complaint has been given against them. He would submit that based on the complaint given by the petitioners, a case has been registered against the *de-facto* complainant. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Criminal Side) for the respondent would submit that this is a case in counter. The de-facto complainant and the petitioners are friends and due to money dispute, on 16.03.2023, the petitioners went to the defacto complainant's house, abused him with filthy language and also assaulted him with plastic pipe. He would further submit that the victim has been discharged from the hospital. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and the submissions made by the learned Counsel and that it is a case and case in counter, this Court is inclined to grant anticipatory bail 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 on which the order copy made ready, before **the learned Judicial Magistrate-III, Tiruppur**, on condition that each of



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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 their 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., for a period of two weeks and thereafter every Saturday at 10.30 a.m., until further orders;

[c] the second petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners shall not abscond either during investigation or trial;



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[f] 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]**;

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

30.03.2023

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