



Crl.O.P.No.7508 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 341, 147, 148, 294(b), 323, 324 and 506(ii) of IPC in Crime No.70 of 2020, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Ramasamy is that the 1st petitioner is the paternal uncle of the defato complainant and there was a land dispute between both their family members. On 13.01.2020, there was a scuffle between both their family members. Hence, a complaint was given and CSR was issued. Subsequently, on 16.01.2020 when the defacto complainant's daughter was returning home after shopping, A1 waylaid her and abused her in filthy language and also threatened her by showing knife. Hence, she raised alarm and on hearing the same, the defacto complainant went and snatched the knife from A1. Immediately, A1 took a wooden log and attacked her daughter on her head. On hearing their alarm both their family members came to the spot during which, A1 along with his family



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members, attacked the defacto complainant and his daughter and son with wooden log, stick and iron rod due to which, they sustained injuries.

Hence, the case.

3.The learned counsel 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 the petitioners had earlier filed an application before this Court in Crl.O.P.No.2933 of 2020 for anticipatory bail and that the petitioners 1 to 6 were granted anticipatory bail by this Court by order 12.02.2020 and it was submitted by the learned Government Advocate (Crl. Side) that the 7th petitioner/8th petitioner therein was not an accused in this case. However, the petitioners could not execute sureties within the time stipulated by this Court. Hence, the present petition has been filed before this Court and he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police fairly conceded that the petitioners 1 to 6 were



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already granted anticipatory bail by this Court by order dated 12.02.2020 and that the 7th petitioner is not an accused in this case.

5. Heard the learned counsel on either side and perused the entire materials available on record.

6. Recording the submissions of the learned Government Advocate (Crl. Side) that the 7th petitioner is not an accused in this case, **this Criminal Original Petition is closed insofar as the 7th petitioner is concerned.**

7. Taking note of the facts and circumstances of the case and also of the fact that the petitioners 1 to 6 were already granted anticipatory bail by this Court by order dated 12.02.2020, this Court is inclined to grant anticipatory bail to the **petitioners 1 to 6** with certain conditions.

8. Accordingly, **the petitioners 1 to 6** are ordered to be released on bail in the event of arrest or on their appearance, within a period of



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fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.II, Hosur**, on condition that the **petitioners 1 to 6** shall execute separate bonds 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 **petitioners 1 to 6** 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 **1st petitioner** shall report before the respondent police as and when required for interrogation.

The **petitioners 2 to 6** 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.



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[c]the **petitioners 1 to 6** shall not tamper with evidence or witness either during investigation or trial.

[d] the **petitioners 1 to 6** 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 1 to 6** in accordance with law as if the conditions have been imposed and the **petitioners 1 to 6** 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.

19.04.2023

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