



Crl.O.P.No.8123 of 2023

Crl.O.P.No.8123 of 2023

S.SOUNTHAR, J.

The petitioners, who apprehend arrest for the alleged offence under Sections 294(b), 323, 506(II) IPC in Crime.No.309 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to civil dispute, the petitioners have picked up a quarrel with the defacto complainant, during the quarrel, abused him in filthy language and assaulted and also threatened him with dire consequences. Hence, the case.

3.The learned counsel appearing for the petitioners submitted that they have not been committed any offence as alleged by the prosecution and the defacto complainant had sustained only simple injuries. He would further submit that this Court already granted anticipatory bail to the petitioner vide order dated 02.01.2023 in Crl.O.P.No.28637 of 2022 and since the petitioners failed to executed the sureties within the time stipulated by this Court, the order got lapsed. Hence, he prayed for grant of anticipatory bail to the petitioners.



Crl.O.P.No.8123 of 2023

WEB COPY

4.The learned Government Advocate (Crl.side) would submit that the injured treated as out patient in the hospital.

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

6. Having regard to the facts of the case and the fact that the injured was treated as out patient in the hospital and also the fact that the petitioners were already granted anticipatory bail to the petitioners and the same was lapsed since the petitioners failed to execute the sureties within the stipulated time, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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 **learned Judicial Magistrate, Vaniyambadi**, on condition that the



Crl.O.P.No.8123 of 2023

petitioners 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 and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate shall obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent police once in a week at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation.

[c] the petitioners shall not tamper the 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

S.SOUNTHAR, J.,



WEB COPY



Crl.O.P.No.8123 of 2023

rst/mp

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.

05.05.2023

rst/mp

Crl.O.P.No.8123 of 2023