



Crl.O.P.No.10119 of 2023

Crl.O.P.No.10119 of 2023

S.SOUNTHAR, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(i) of IPC, in Crime No.349 of 2021, seek anticipatory bail.

2. The case of the prosecution is that there was a civil dispute pending between the parties and as a result of which, the petitioners said to have attacked the defacto complainant with hands. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners have nothing to do with the said allegation and they have been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that there is no injury sustained by the



Crl.O.P.No.10119 of 2023

WEB COPY

defacto-complainant and further submitted that there is no previous case pending against these petitioners. However, he opposed for grant of anticipatory bail to the petitioners.

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

6. Having regard to the facts of the case and the nature of the allegation made against the petitioners and also of the fact that no injury has been sustained by the defacto complainant, 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, Gudiyattam, Vellore District** on condition that the petitioner shall execute separate bonds for a sum of Rs.10,000/- each (Rupees Ten Thousand only) with **two sureties** each



Crl.O.P.No.10119 of 2023

WEB COPY

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



Crl.O.P.No.10119 of 2023

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.

04.05.2023

rka/rsi



WEB COPY



Crl.O.P.No.10119 of 2023

S.SOUNTHAR, J.,
rka/rsi

Crl.O.P.No.10119 of 2023

04.05.2023