



Crl.O.P.No.10086 of 2023

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S.SOUNTHAR, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 323 and 506(ii) IPC, in Crime No.46 of 2022, seek anticipatory bail.

2. The case of the prosecution is that on 02.02.2022, the defacto complainant submitted a representation to the Block Development Officer regarding his disapproval for laying road through his patta land in the Survey Nu.411/16. It is alleged that the petitioners on 03.02.2022 over the issue of the road being laid, voluntarily hurt him and threatened to kill him. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners already filed an anticipatory bail application before this Court in Crl.O.P.No.19982 of 2022 and the same was allowed by this Court on certain conditions. He further submitted that due to ill-health of the first petitioner's wife, the petitioners unable to comply with the conditions



Crl.O.P.No.10086 of 2023

imposed by this Court. Hence, the anticipatory bail granted by this Court below got lapsed. Therefore, the petitioners approached this Court again and seek anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioner attacked the defacto complainant and caused injuries. He further submitted that the injured has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioners.

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

6. Taking into consideration, the facts and circumstances of the case and also of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on



Crl.O.P.No.10086 of 2023

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, Sriperumbudur, Kancheepuram District**, on condition that the petitioners shall execute separate bond 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 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 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 with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.



Crl.O.P.No.10086 of 2023

[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.

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04.05.2023



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Crl.O.P.No.10086 of 2023

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Crl.O.P.No.10086 of 2023

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