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CRL.O.P.NO.10865 OF 2023

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K.GOVINDARAJAN THILAKAVADI, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 354 and 506(ii) IPC, in Crime No.58 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that on the date of occurrence viz., 23.03.2023, there was a wordy quarrel between the petitioners and the defacto complainant with regard to the running of stone quarry and both attacked each other with stones and hand and abused each other. Hence, the complaint.

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 also submit that it is a case in counter and based on the complaint given by the petitioners, a counter case has been registered



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by the respondent police. He would further submit that the petitioners are ready and willing to abide by any stringent condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Additional Public Prosecutor would submit that during the wordy quarrel, the petitioners along with other accused had assaulted the de facto complainant with stones and by using hand, resulting in her sustaining injuries. He would further submit that the injured has been discharged from the hospital. Hence, he vehemently opposed to grant 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 the submission of both sides, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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, Tiruchengode**, on condition that the petitioners 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 second petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter, as when required for interrogation and the first and third petitioners,



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being ladies, shall appear before the respondent police, 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;

[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 petitioners/accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC;

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