



Crl.O.P.No.10897 of 2023

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WEB CO **K.KUMARESH BABU, J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 294(b), 341, 324, 307 of IPC r/w 4 of Women Harassment Act, in Crime No.101 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the during the local body election, the mother of one Karthik, who is practising as an advocate, contested for the post of ward member, in which, the mother of the second petitioner also contested for the said post, thereby, there was an enmity between them. Due to the said enmity, the first accused family also developed enmity with husband of petitioner, since he is working as driver under Karthick. While being so, on 13.04.2023, when the husband of defacto complainant was on the wheel of vehicle, the petitioners said to have waylaid him and attacked him with aruval, thereby he sustained injuries. Hence, the case.



Crl.O.P.No.10897 of 2023

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that the petitioners herein are Accused 6 to 7. He further submitted that the co-accused A1 to A5 were arrested and released on bail. However, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the nature of allegations made against these petitioners and also of the fact that the co-accused A1 to A5 have already been granted bail by this Court, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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 is made ready, before the learned **Judicial Magistrate No.V, Vellore**, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (**Rupees Ten**



Crl.O.P.No.10897 of 2023

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 daily at 10.30 a.m. for a period of three weeks and thereafter report before the respondent police as and when required for interrogation (OR) until further orders.

[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



Crl.O.P.No.10897 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.

17.05.2023

dna/rka



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Crl.O.P.No.10897 of 2023

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Crl.O.P.No.10897 of 2023

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