



Crl.O.P.No.11218 of 2023

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K.KUMARESH BABU, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 143, 148, 294(b), 323, 324, 354 506(i) of IPC, in Crime No.89 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the President of Pandagapadi Village. During meeting, there was a wordy quarrel between the petitioners and the defacto complainant's husband, as a result of which, the petitioners are said to have attacked the defacto complainant's husband. Hence, the case.

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.



Crl.O.P.No.11218 of 2023

4. The learned Government Advocate (Crl. Side) would submit that there is a case and a counter case. However, he vehemently opposed for grant of anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case, 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-Cum-District Munsif, Veppanthattai**, on condition that the petitioners shall execute a 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:



Crl.O.P.No.11218 of 2023

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

17.05.2023

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Crl.O.P.No.11218 of 2023

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Crl.O.P.No.11218 of 2023

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