



Crl.O.P.No.11984 of 2023

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V.LAKSHMINARAYANAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence under Section 294(b), 324 and 506(ii) of I.P.C. in Crime No.135 of 2023, on the file of respondent police, seek anticipatory bail.

2. The case of prosecution is that on 10.05.2023, the buffalo belonged to the 1st petitioner had entered into the backyard of the house of the defacto complainant and eaten the grass. Due to which, there was a wordy quarrel between them, thereby, the petitioners said to have abused them in filthy language, assaulted them brutally and also threatened them with dire consequences. The defacto complainant got admitted in the Government hospital for his injuries. Hence, the complaint was registered against the petitioners.

3. The learned counsel appearing for petitioners submitted that the entire allegation is false, vindictive, wanton and they are no way connected



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with the offence. He would submit that they have not at all committed any of offence as alleged by the respondent police and due to malafide intention, they have been falsely implicated in this case. He would further submit that they will abide by any condition that may be imposed by this court. Hence, he prayed to grant bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for respondent would submit that on the date of occurrence, the petitioners entered the premises of the defacto complainant and abused them. The petitioners threatened them with dire consequences and also assaulted the defacto complainant. He would submit that that if they are released on anticipatory bail, they may tamper the witnesses and hamper the investigation and now the investigation is almost completed. Hence, he vehemently opposed to grant bail to the petitioners.

5. Considering the above facts and circumstances of the case, and considering the fact that the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 made ready, before the learned Judicial Magistrate-I, Villupuram, on condition that the each of the petitioner 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:

[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 appear before respondent police everyday at 10.30 a.m., 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.



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[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.

26.05.2023

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