



Crl.O.P.No.12114 of 2023

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V.LAKSHMINARAYANAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 448, 294(b), 323, 427 & 506(ii) of IPC, in Crime No.207 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant, who was working in a Tasmac bar, is that the accused had abused the de-facto complainant in a filthy language and caused damage to the properties in the Tasmac bar. Hence the case.

3. Learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submitted that the petitioners are no way connected with the alleged offence, whereas, due to the previous enmity, the de-facto complainant has lodged a false complaint against them. Hence, he prayed for grant of anticipatory bail to the petitioners.



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4. Learned Government Advocate (Criminal Side) submitted that the petitioners along with other accused had abused the de-facto complainant in a filthy language and assaulted him, due to which, he sustained injuries. He also submitted that the accused had also caused damaged to the articles in the Tasmac bar. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. At this juncture, the learned counsel for the petitioners submitted that the petitioners, to show their bonafide, without prejudice to their defense and contention, are ready and willing to deposit a sum of Rs.25,000/- to the credit of this crime number. Therefore, he prayed to grant anticipatory bail to the petitioner.

6. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) appearing for the respondent and perused the materials available on record.

7. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also



considering the fact that the petitioners are volunteered to deposit a sum of Rs.25,000/- to the credit of crime number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. Accordingly, **the petitioners are directed to deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) totally to the credit of Crime No.207 of 2023**, without prejudice to their rights and contentions, before the Court concerned and on such deposit, 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 No.I, Vriddhachalam**, on condition that the petitioners shall execute separate bond each 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:



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[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 stay at Jayankondam and report before the Inspector of police, Jayankondam Police Station, everyday at 10.30 a.m., for a period of four weeks and thereafter, report before the respondent Police, once in every 15 days 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;

[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]**;



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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 229A IPC;

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