



Crl.O.P.No.12192 of 2023

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V.LAKSHMINARAYANAN. J.,

The petitioners, who apprehend arrest for the alleged offences under Sections 147, 148, 341, 294 (b), 323, 324 and 506 (2) of IPC in Cr.No.251 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to previous inimity, the petitioners waylaid the defacto complainant and have abused and assaulted him with wooden log. Hence, the case.

3.The learned counsel appearing for the petitioners submits that it is the defacto complainant who invited quarrel with the petitioners and have lodged a false case against them. He would further submit that they have been falsely implicated in this case and however, they are ready to furnish substantial sureties and any conditions to be imposed by this Court for grant of anticipatory bail. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.



Crl.O.P.No.12192 of 2023

4.The learned Government Advocate (Crl. Side) submits that there is a quarrel between the parties to the prosecution and no previous case pending against the petitioners. However, he opposed for granting anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and the submission made by the learned counsel for the petitioner, 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 his/her/their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Omalur** on condition that the petitioners shall execute a 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 and on further



CrI.O.P.No.12192 of 2023

condition that:

(a) if the petitioners failed to surrender before the concerned Magistrate within a period of fifteen days from the date of receipt of a copy of this order, this order shall stand automatically cancelled;

(b) the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(c) the petitioners shall report before the **Madurai Town Police Station at 10:30 am daily for a period of four weeks** and thereafter shall report before the respondent police **as and when required** for interrogation;

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;



Crl.O.P.No.12192 of 2023

(f) 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]***; and;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

26.05.2023

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Crl.O.P.No.12192 of 2023

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Crl.O.P.No.12192 of 2023

26.05.2023