



Crl.O.P.No.12636 of 2023

Crl.O.P.No.12636 of 2023

G.CHANDRASEKHARAN. J.

The petitioners who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294 (b), 324, 506(2) & 307 IPC in Crime No.269 of 2023, on the file of the respondent police, seek anticipatory bail.

2. It is the submission of the learned counsel for the petitioners that petitioners are accused in Crime No.269 of 2023 for the alleged offence under Sections 294 (b), 324, 506(2) & 307 IPC. Due to previous enmity, defacto complainant gave a false complaint against the petitioners and FIR was registered against the petitioners. Therefore, he prays for anticipatory bail for the petitioners.

3.In response, the learned Government Advocate (Criminal side) submitted that there is previous enmity between the petitioners and the defacto complainant. On 22.05.2023, at about 10.30 p.m., defacto complainant's brother was beaten by the petitioners. When defacto complainant asked them as to why they were beating his brother, they started attacking the defacto complainant with wooden log on his head



Crl.O.P.No.12636 of 2023

WEB COPY

and other parts of the body and the defacto complainant suffered injuries and he was discharged from the hospital.

4.Considering the circumstances under which the incident had happened and the fact that the injured got discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners and the petitioners are ordered to be released on bail in the event of their 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, Thiruvarur**, on condition that petitioners shall execute 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



Crl.O.P.No.12636 of 2023

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 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.

[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 petitioner 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.

04.07.2023

sli



WEB COPY



CrI.O.P.No.12636 of 2023

G.CHANDRASEKHARAN. J.

sli

CrI.O.P.No.12636 of 2023

04.07.2023