



Crl.O.P.No.12621 of 2023

Crl.O.P.No.12621 of 2023

WEB COPY

**A.D.JAGADISH CHANDIRA,J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC, in Crime No. 229 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that, dispute on account of illegal intimacy, the petitioners have assaulted the defacto complainant with iron rod and wooden log, due to which, the defacto complainant sustained injuries. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and due to previous enmity, the defacto complainant abused the petitioner's father/A1 with filthy language and thereby these petitioners were falsely implicated in this case. He would



Crl.O.P.No.12621 of 2023

WEB COPY  
further submit that they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that there was a dispute regarding illegal intimacy, the petitioners have assaulted the defacto complainant with wooden log and thereby sustained injuries to him. He further submitted that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Considering the above fact and circumstances of the case and also considering the fact that the victim has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners



Crl.O.P.No.12621 of 2023

with certain conditions.

WEB COPY

7. 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 Court, Palacode**, on condition that the 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 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 Chennai and report before the Inspector of Police, C1 Flower Bazaar Police Station everyday at 10.30 a.m, until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



Crl.O.P.No.12621 of 2023

WEB COPY

[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.

**12.06.2023**

drl



WEB COPY



Crl.O.P.No.12621 of 2023

**A.D.JAGADISH CHANDIRA,J.**

drl

**Crl.O.P.No.12621 of 2023**

**12.06.2023**