



Crl.OP.No.12768 of 2023

A.D.JAGADISH CHANDIRA, J.

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The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 447, 294(b), 323, 324 and 506(ii) of IPC in Crime No.180 of 2023, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity regarding erection of compound wall, the petitioners abused and assaulted defacto complainant with broomstick and wooden log and criminally intimidated him and also caused injuries to him. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that due to previous enmity regarding erection of compound wall, the petitioners abused and assaulted defacto complainant with broomstick and wooden log and criminally intimidated him and also



caused injuries to him. Hence, he would vehemently oppose to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on records including the FIR.

6. Taking into consideration the facts and circumstances of the case, and the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

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, Gingee* on condition that each of the petitioners shall execute separate bonds 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/trial Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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[b] the first petitioner shall report before the respondent police every day at 10.30 a.m., until further orders and the petitioners 2 to 6 shall report before the respondent police every day at 10.30 a.m., for a period of two 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] 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, as laid down by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;

[f] if the petitioners herein thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Vv

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