



Crl.O.P.No.13672 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 448, 341, 294(b), 323, 324 and 506(2) of IPC in Crime No.361 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the petitioners and the defacto complainant are friends. During a quarrel, the petitioners have abused and assaulted the defacto complainant, this causing injury on his forehead. Hence, the complaint .

3.The learned counsel for the petitioners would submit that the incident had occurred, during the quarrel and the petitioners were in an inebriated condition at that time. He would further submit that the petitioners are ready and willing to abide by any stringent conditions that may be imposed on them. Thereby, he would seek anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the petitioners abused and



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assaulted the defacto complainant and caused an injury on his forehead.

Hence, he would vehemently oppose for grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts of the case and the submissions of the learned Counsel for the parties, 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 Court, Rasipuram, Namakkal** on condition that each of the petitioners shall execute separate bonds for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 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 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.**



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State of Kerala [(2005)AIR SCW 5560];

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

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