



Crl.O.P.No.13502 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 alleged offences punishable under Sections 294(b), 324, 427 and 506(1) of IPC and Section 3 of TNPPDL Act, in Crime No. Not known of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that, his wife Lakshmi who is a Panchayat Councilor had given a petition to the higher officials to repair the road of Balampattu Village, for which, the petitioners have assaulted the defacto complainant's wife, thereby causing severe injuries to her. The further allegation is that they have also caused damage to the house and doors. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He further submit that due to previous enmity, a false



Crl.O.P.No.13502 of 2023

complaint has been given against the petitioners and thereby he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) would submit that the defacto complainant's wife had given a petition to the higher officials to repair the road, for which, the petitioners have assaulted the defacto complainant's wife and also caused damage to the house and doors. He further submit that the injured has been discharged from the hospital. However, he opposed for grant of 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 the submissions made by the learned counsel on either side and also taking note of the fact that the injured has been discharged from the



Crl.O.P.No.13502 of 2023

hospital, 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 is made ready, before the **learned Judicial Magistrate cum Fast Track Court, Vellore** on condition that the petitioners shall execute separate bond 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:

[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, for a period of four weeks



Crl.O.P.No.13502 of 2023

WEB COPY

and thereafter every Saturday 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. State of Kerala [(2005)AIR SCW 5560]**.

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

26.06.2023

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Crl.O.P.No.13502 of 2023

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Crl.O.P.No.13502 of 2023

26.06.2023