



Crl.O.P.No.13701 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), 323, 324 and 506(ii) of IPC in Crime No. 357 of 2023, seek anticipatory bail.

2. The case of the prosecution is that on 29.05.2023 at about 10.30 p.m., when the defacto complainant was standing in front of his house, the petitioners were standing on the road. When the defacto complainant questioned the same, there arose a wordy quarrel between the petitioners and the defacto complainant, as a result, the petitioners attacked the defacto complainant with sickle and caused injuries to him. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and a false complaint has been given against them. He would further submit that the petitioners have no bad criminal antecedents and they have abide by any stringent conditions that may be imposed on them. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent police vehemently opposed for grant of anticipatory bail to the petitioners stating that due to the attack made by the petitioners, the victim sustained injuries and suffered 16 stitches.

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

6. Taking into consideration the facts and circumstances of the case and also the submissions made on both sides, 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 District Munsif-cum-Judicial Magistrate, Madhavaram**, on condition that 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



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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 Villupuram and report before the Inspector of Police, Villupuram Town Police Station, Villupuram, everyday at 6.30 p.m, for a period of two weeks and thereafter, report before the respondent police everyday at 6.30 p.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]**.



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

21.06.2023

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