



Crl.O.P.No.13637 of 2023

Crl.O.P.No.13637 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 147, 148, 294(b), 324 and 506(ii) of IPC in Crime No.1373 of 2020, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant/Veeramani is that, during temple function, regarding the distribution of prasadam, the petitioners group and the defacto complainants group attacked with each other. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case and they have not committed any offence as alleged by the prosecution. He further submit that the injuries sustained are simple in nature and they are discharged from the hospital. He further submits that it is a case and case in counter. and thereby, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the



Crl.O.P.No.13637 of 2023

respondent would submit that during the temple festival regarding distribution of prasadam, both of them attacked each other causing injuries to them and it is a case in counter. He further submitted that the injured has been discharged from the hospital. Hence, 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 including the FIR.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel on both sides, this Court is inclined to grant anticipatory bail to them 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, Nannilam**, on condition that the petitioners shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties for a like sum to the satisfaction of the respondent police or the police officer who intends to



CrI.O.P.No.13637 of 2023

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 surety 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. State of Kerala [(2005)AIR SCW 5560]**.



WEB COPY



Crl.O.P.No.13637 of 2023

A.D.JAGADISH CHANDIRA,J.

drl

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

27.06.2023

drl

Crl.O.P.Nos.13637 of 2023