



Crl.O.P.No.14459 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 147, 148, 294(b), 323, 324, 307, 506(2) of IPC in Crime No.272 of 2021 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the de-facto complainant/Soundar Rajan, is that on 14.05.2021, at about 11.30 a.m, while the defacto complainant was riding a bicycle, the petitioner had collided his bike with the defacto complainant bicycle and both of them fell down, for which, there arose wordy quarrel between them, due to which, the petitioner assaulted the defacto complainant with wooden log. Hence the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this



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case. He further submitted due to wordy quarrel between the petitioners and the defacto complainant, a false complaint has been given against the petitioners. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioners had collided his bike with defaco complainant's bicycle, for which, a wordy quarrel aroused between them, due to which, the petitioner assaulted the defacto complainant with wooden log. He further submitted that the injured has been discharged from the hospital and however, he opposed for granting anticipatory bail to the petitioner.

5. Heard the learned counsel on both sides and perused the entire materials available on record including the First Information Report.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel on either side and taking note of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 Court No.I, Sriperumbudur, on condition that the petitioners shall execute separate bond 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 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 and thereafter on 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;



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[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;

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