



Crl.O.P.No.14041 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, 337, 294(b) and 506(ii) of IPC in Crime No. 271 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant/Murugal is that on 05.06.2023, during the temple festival there was a wordy quarrel between the defacto complainant and the petitioners, for which, the petitioners abused and attacked the defacto complainant and thereby, causing injuries to him and also intimidated him. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and due to previous enmity they have been falsely implicated in this case. He would further submit that it is a case and case in counter and on the complaint given by the petitioners, a counter case in Crime No.270 of 2023 has been registered against the



opposite party. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that this is the case and case in counter. During the temple festival there was a wordy quarrel between the defacto complainant and the petitioners, for which, the petitioners abused and attacked the defacto complainant and thereby, causing injuries to him and also intimidated him. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

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 of the case and also the submissions made by the learned counsel on either side, 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



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days from the date on which the order copy made ready, before the **learned District Munsif cum Judicial Magistrate, Vanur, Villupuram District**, 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.

[d] the petitioners shall not abscond either during investigation or trial.

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[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.

23.06.2023

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