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Crl.O.P.No.14140 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 147, 148 448, 294(b), 323, 324, 354, 506(ii) IPC and Section 3 of PPD Act read with Section 4 of Women Harassment Act, in Crime No.580 of 2022, on the file of the respondent police, seek anticipatory bail.

2.The learned counsel for the petitioners submitted that the petitioners have been falsely implicated in this case. Apprehending arrest, this petition is filed seeking anticipatory bail.

3. In response, the learned Government Advocate (Crl. Side) appearing for the respondent would submit that A2/the 2nd petitioner herein, had misbehaved with the defacto complainant's sister. When that was questioned, the accused persons had criminally trespassed into the house of the defacto complainant and abused and caused injuries to the



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defacto complainant and also damaged the household articles. Now the injured has been discharged from the hospital.

4. Considered the submissions and perused the records.

5. Considering the nature of the offence and the fact that the injured has been discharged from the hospital, this Court is of the view that, the custodial interrogation of the petitioners is not necessary. Therefore, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. 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, Gudiyatham**, on condition that the petitioners shall execute a 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



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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 daily 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



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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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