



Crl.O.P.No.14206 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, 506(ii) of IPC in Crime No. 300 of 2023, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant/Baskaran is that one Jayalakshmi had lodged the complaint against the defacto complainant's son Rajapandian before the All Women Police Station, Arani for making her daughter pregnant for which, the accused persons who were the relatives of the Jayalakshmi had gone to the defacto complainant's house had abused and assaulted him with iron rod, cricket bat and also intimidated him. 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. He would further submit that only to revenge against the petitioners for lodging complaint against his son Rajapandian, a false complaint has been given against the petitioners. He further submit that the petitioners



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are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for the grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the accused had assaulted the defacto complainant for committing sexual offence as against her relatives. He further submit 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 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



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learned Judicial Magistrate, Arni, 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 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 petitioner 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 station 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

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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.

26.06.2023

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