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Crl.O.P.No.14518 of 2023

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G.CHANDRA SEKHARAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under **Sections 147, 148, 294(b), 323, 324, 506(ii) of IPC and 3 of TNPPDL Act**, in Crime No.25 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The learned counsel for the petitioner submitted that in an enmity in connection with a temple dispute, there was a fight and the petitioners have been falsely implicated in this case. On the basis of the complaint given by one Selvam/3rd petitioner herein, FIR in Crime No.26 of 2023, has been registered for the offence under SC/ST Act against the defacto complainant and others.

3. In response, the learned Government Advocate (Crl. Side) opposed this petition on the ground that there is a case and counter case. The injured was treated and discharged on the same day.



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4. It is seen from the FIR allegations that, on 16.01.2023, at about 8.00 a.m., the accused in this case, had beaten the defacto complainant with stone and then, they had also attacked the family members of the defacto complainant and damaged two wheelers.

5. Considering the nature of the incident and there is a case and counter case registered against both the parties and that, the injured was discharged on the same day, this Court is of the view that, custodial interrogation of the petitioner 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, Arani, Tiruvannamalai, District**, 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



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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 daily at 10.30 a.m. for a period of two weeks and thereafter, 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.

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