



Crl.O.P.No.14655 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 294(b), 341, 323, 506(II) IPC, in Crime No.148 of 2023, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioner along with other accused waylaid the defacto complainant and assaulted him and gave him life threat. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that due to previous enmity, the petitioner along with other accused waylaid the defacto complainant and assaulted him and gave him life threat. Thereafter, FIR was registered in Cr.No.121 of 2023, for land grabbing on the basis of



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the complaint given by the defacto complainant. However, the injured was treated only as out patient. He opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and that the injured has been treated as out patient, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions, since custodial interrogation is not necessary.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate No.5, Coimbatore on condition that the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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:



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[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 petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks. 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.

[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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