



Crl.O.P.No.14581 of 2023

Crl.O.P.No.14581 of 2023

WEB COPY

G.CHANDRASEKHARAN, 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 and 506(ii) IPC, in Crime No.327 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the accused belong to the same political party. Due to a previous enmity, the accused assaulted the defacto complainant with iron rod and knife. Whereby, the defacto complainant sustained injuries. Hence, the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons. On the basis of a false complaint given by the defacto complainant in connection with the political dispute, the petitioners are falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.



Crl.O.P.No.14581 of 2023

4. The learned Government Advocate (Crl. Side) would submit that the petitioners and the defacto complainant belong to same political party. They had difference of opinion in organising a meeting for the political party. Due to which, the petitioners assaulted the defacto complainant. In the said incident, the defacto complainant suffered injuries and later, treated and discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioners.

5. Considering the fact that the petitioners and the defacto complainant belong to a political party, and there was a fight in organising a meeting for the political party and that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions, since custodial interrogation is not necessary.

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-II, Ulundurpet on condition that the petitioners shall



Crl.O.P.No.14581 of 2023

execute a separate 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:

[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 1 to 5 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. Insofar as the 6th petitioners is concerned, he shall appear before the respondent police as and when required for interrogation;

[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

G.CHANDRASEKHARAN, J.



Crl.O.P.No.14581 of 2023

Anu

WEB COPY

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.

30.06.2023

Anu

Crl.O.P.No.14581 of 2023