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Crl.O.P.No.14780 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 324 and 506(ii) of IPC in Crime No.134 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. It is the submission of the learned counsel for the petitioners submitted that, due to previous enmity, false complaint has been given against the petitioners by the defacto complainant. Therefore, he prays for granting anticipatory bail to the petitioners.

3. The learned Government Advocate (Crl,. Side) opposes the petition on the ground that, accused had beaten the defacto complainant with the bumper of his two wheeler and thereby, defacto complainant sustained injuries on his left fore arm and right form arm. However, he submitted that, injured has been discharged from the hospital.



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3. Considering the facts, nature and circumstances of the case that the alleged incident had happened due to previous enmity between the parties and also that the injured victim has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners for the reason that, custodial interrogation of the petitioners is not necessary in this case.

4. Accordingly, 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 Court No.II, Pollachi**, 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 petitioners shall report before the respondent police 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 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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