



Crl.O.P.No.14833 of 2023

Crl.O.P.No.14833 of 2023

G.CHANDRASEKHARAN. J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 294(b), 323, 324 and 506(ii) IPC in Crime No.467 of 2023 on the file of the respondent police, seek anticipatory bail.

2. Learned counsel for the petitioners submitted that, there is a previous enmity between the petitioners and the defacto complainant, in connection with business of buying hair. Petitioners are innocents and they are falsely implicated in Crime No. 467 of 2023 for the offences under Sections 147, 294(b), 323, 324 and 506(ii) IPC. Apprehending arrest, petitioners filed this petition.

3. Learned Government Advocate (Criminal side) opposes this petition, on the ground that, there was a previous enmity between the petitioners and the defacto complainant. On 08.06.2023, at about 8.00 a.m., 1st accused's son kicked the cycle of defacto complainant's son. Thereafter, on 10.06.2023, at about 8.00 a.m., defacto complainant's



CrI.O.P.No.14833 of 2023

brother's son who was aged 2 years, passed urine near the house of Selvam. Therefore, he was beaten by one Sivagami. On the same day, at about 5.30 p.m., Karpagam, Vijayalakshmi and Sivagami scolded the defacto complainant in filthy language and started attacking the defacto complainant and his wife. Rajesh hit the defacto complainant with an iron rod. Selvam hit defacto complainant with wooden log. As a result, defacto complainant suffered fracture. The injured had been discharged from the hospital. Therefore, he prays for dismissal of this petition.

4. Considering the nature of the allegations, and the fact that petitioners are women and they were charged for abusing the defacto complainant and his wife in filthy language and that they were not responsible for injuries suffered by the defacto complainant and the fact that injured had been discharged from the hospital, this Court is of the view that, custodial interrogation of the petitioners is not necessary and the petitioners are 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**



Crl.O.P.No.14833 of 2023

Arni, 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:

[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 as and when required for further investigation.

[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,



WEB COPY



Crl.O.P.No.14833 of 2023

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.

11.07.2023

gd



WEB COPY



Crl.O.P.No.14833 of 2023

G.CHANDRASEKHARAN. J.

gd

Crl.O.P.No.14833 of 2023

11.07.2023