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Crl.O.P.No.14849 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), 323, 324 and 506(ii) of IPC** in Crime No.413 of 2023 on the file of the respondent police, seek anticipatory bail.

2. It is the submission of the learned counsel for the petitioners that the petitioners are falsely implicated in this case and in fact, based on the complaint given by one Paranthaman, First Information Report was registered in Crime No.409 of 2023 for the offences under Sections 452, 294(b), 323, 324 & 506(ii) of IPC. The said Paranthaman suffered injuries. Therefore, he prays for granting anticipatory bail to the petitioners.

3. In response, learned Government Advocate (Crl.Side) submitted that on 19.06.2023, at about 11.15 a.m., in connection with previous enmity, the accused had Paranthaman had under the influence of ganja, along with other accused, beaten the *de-facto* complainant and her family members. The accused had used wooden log in attacking the



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de-facto complainant and others. In this case, two persons had suffered injuries and the injured had been discharged from the hospital.

4. Considering the nature of the allegations, counter case registered and discharge of the injured, this Court is of the view that custodial interrogation of the petitioners is not necessary in this case.

5. 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 No.2, Ulundurpettai**, on condition that the petitioners shall 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.



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[b] the 1st & 2nd petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders and the 3rd petitioner shall report 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 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.

17.07.2023

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