



Crl.OP.No.14944 of 2023

Dr.G. JAYACHANDRAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No.378 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case has been registered against these petitioners for attacking the defacto complainant with wooden log due to enmity in conducting temple festival in their village.

3. Learned counsel appearing for the petitioners states that the petitioners are innocent persons and it was the defacto complainant who was organizer of the temple festival had caused injuries to them.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police states that the petitioners are absconding and unless they are secured investigation will be difficult.



5. Taking note of the facts and circumstances and the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of seven days from the date of receipt of a copy of this order, before the *learned Magistrate, Gingee* on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand only)**, with two sureties each for a like sum to the satisfaction of the learned Magistrate concerned and on further conditions that:

(a) the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the **Investigating Officer daily at 10.00 a.m., until further orders ;**



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(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e)the petitioners shall not abscond either during investigation or trial;

(f)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 are 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]*; and

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

Vv

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