



Crl.O.P.No.14938 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 294 (b), 352, 324 & 506(1) IPC, in Crime No.575 of 2019, on the file of the respondent police, seek anticipatory bail.

2. It is the submission of the learned counsel for the petitioners that petitioners are innocent and they have been falsely implicated in this case. Thus, he prayed for anticipatory bail for the petitioners.

3. In response, the learned Government Advocate (Criminal side) opposed this petition and submitted that on 24.11.2019, at about 8.30 p.m., when defacto complainant was getting dinner from Arafath Tiffin Centre, first accused had taken photo of defacto complainant's Car bearing registration No.TN 20 CC 8614. When defacto complainant asked him why he was taking photo, he scolded him in filthy language. Therefore, he informed his father through phone and his father came to the spot. Accused started attacking the defacto complainant and his



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father with wooden log and iron rod. As a result, they suffered injuries and were treated as in-patient and discharged from hospital on 16.12.2019.

4.Considering the fact that FIR was registered in 2019 and that the injured got discharged from the hospital, this Court is of the view that custodial interrogation after this long duration of time is not necessary and this Court is inclined to grant anticipatory bail to the petitioners and the petitioners are ordered to be released on bail in the event of their 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, Thiruthuraipoondi**, on condition that petitioners shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten 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



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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 petitioner 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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