



Crl.O.P.No.15248 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 448, 294 (b), 324 & 506 (2) IPC in Crime No.191 of 2023, on the file of the respondent police, seek anticipatory bail.

2. Learned counsel for the petitioners submitted that petitioners have been falsely implicated in this case. Apprehending arrest, this petition is filed.

3. In response, the learned Government Advocate (Crl.side) opposed this petition and submitted that defacto complainant's son owns a property at Chennai. Accused had illegally trespassed into the property and fixed CCTV camera. When asked about this, accused said to have beaten defacto complainant and his son with wooden log and iron rod. He further submitted that there is also a counter case registered in Crime No.192 of 2023 and the injured had been discharged from the hospital.



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4.Considering the nature of the allegations made in the FIR and the counter case filed and also the fact that the injured had been discharged from hospital, this Court is of the view that custodial interrogation is not necessary 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, Cheyyur**, 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 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 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.

12.07.2023

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