



Crl.O.P.No.15675 of 2023

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G.CHANDRASEKHARAN, J.

The petitioners/A1, A2 & A3, who apprehends arrest at the hands of the respondent police for the alleged offences under **Sections 294(b), 323 and 506(ii) of IPC in Crime No.264 of 2023** on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioners submitted that petitioner are innocent and they have been falsely implicated in this case. Apprehending arrest in Crime No.264 of 2023 registered for the offences under Sections 294(b), 323 and 506(ii) of IPC, this petition is filed by the petitioner.

3. In response, learned Government Advocate (Crl.side) submitted that in connection with an election dispute, accused had beaten the *de-facto* complainant with an iron-rod and knife and caused injuries. The incident happened at 5.30 p.m., on 13.06.2023. The 2nd petitioner/A2 is having 8 previous cases and the 3rd petitioner/A3 is having 7 previous cases pending against them.

4. In the circumstances stated by the learned Government Advocate (Crl.side) that 2nd & 3rd petitioner are having previous



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cases, this Court is not inclined to grant anticipatory bail to the 2nd & 3rd petitioner. Considering the fact that 1st petitioner is a women, this Court is of the view that custodial interrogation of the 1st petitioner is not necessary.

5. Accordingly, as far as the 2nd & 3rd petitioners are concerned, this petition is dismissed and as far as the 1st petitioner is concerned, the petitioner is 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 District Munsif cum Judicial Magistrate, Uthiramerur**, on condition that the petitioner 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:



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[a] the petitioner 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 petitioner shall report before the respondent police as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 petitioner 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].



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[f] If the accused thereafter
absconds, a fresh FIR can be registered under
Section 229A IPC.

19.07.2023

mpl

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