



Crl.O.P.Nos.15835 & 15832 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners in both petition namely Yuvaraj and Ravi who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 326 subsequently altered into Sections 307 and 506(2) of IPC in Crime No.694 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioners submitted that, petitioners are innocents and they have been falsely implicated in a case registered for the offences under Sections 294(b), 323, 326 subsequently altered into Sections 307 and 506(2) of IPC, apprehending arrest, this petition is filed.

3. In response, learned Government Advocate (Crl. Side) submitted that, there was a dispute between the petitioner and the defacto complainant in connection with the pledging of defacto complainant's two wheeler with the accused Jaikumar. On 06.06.2023 at about 11.30.p.m., accused Yuvaraj, Ravi Arun Kumar and Jaikumar had



come to the house of the defacto complainant with a knife. Yuvaraj and Ravi had scolded the defacto complainant in filthy language. Arun Kumar had hit the defacto complainant on his face with tiles stones. As a result, he suffered serious injuries on his right eye. When defacto complainant intervened, he was also attacked by the accused and they had also made criminal intimidation. He further submitted that, in the incident, defacto complainant lost his eye sight in the left eye.

4. In reply, learned counsel for the petitioner submitted that, A1 was arrested and released on bail and there is no specific overt act attributed against the petitioner.

5. Considering the nature, facts and circumstances of the case and the allegations made in the FIR and also the fact that there is no specific overt act against the petitioners except that they came with a knife and scolded in filthy language and A1 granted bail and that material part of the investigation might have been over by this time, this Court is inclined to grant anticipatory bail to the petitioners for the reason that custodial interrogation of the petitioners is not necessary.



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6. 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 at Tiruththani** on condition that the petitioners shall execute 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 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 petitioners shall report before the respondent police daily at 10.30.a.m., until further orders.

[c] the petitioners shall not abscond either during investigation or trial.



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[d] the petitioners shall not tamper with evidence or witness 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.

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