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Crl.O.P.No.15862 of 2023

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G.CHANDRASEKHARAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No.178 of 2023 on the file of the respondent police, seek anticipatory bail.

2. Learned counsel for the petitioners submitted that petitioners are innocent and they have been falsely implicated in this case. Apprehending arrest in Crime No.178 of 2023 registered for the offences under Sections 294(b), 323, 324 and 506(ii) of IPC , this petition is filed by the petitioners.

3. In response, learned Additional Public Prosecutor (Puducherry) submitted that due to previous enmity, at about 5.45 a.m., on 05.07.2023, when *de-facto* complainant was in his father-in-law's house, accused had abused him in filthy language and started attacking him. A1 tried to attack *de-facto* complainant's father-in-law with aruval and it was prevented by the *de-facto* complainant. Therefore, Ranjith attacked him with aruval. Other



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accused also joined in attacking the *de-facto* complainant's father-in-law and brother-in-law. Injured were treated and discharged from the hospital.

4. Considering the nature of the allegations and the fact that injured is discharged from the hospital, this court is of the view that, custodial interrogation of the petitioners is not necessary. 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 Court, Vandavasi**, on condition that the each of the petitioners shall execute a 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 Petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a



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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 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.

20.07.2023

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