



Crl.O.P.No.16075 of 2023

Crl.O.P.No.16075 of 2023

WEB COPY

G.CHANDRASEKHARAN. J.

The petitioners namely Navappan, Suman @ Sugan, Uma and Deivanai who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 324, 506(ii) of IPC in Crime No.418 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioners submitted that, petitioners are innocent persons and they have been falsely implicated in a case registered for the offences under Sections 294(b), 323, 324, 506(ii) of IPC. Apprehending arrest, this petition is filed.

3. In response, learned Government Advocate (Crl. Side) submitted that, there was a previous enmity between the defacto complainant and the accused with regard to election. After election is over, 1st accused became Panchayat President of Mankuppam Village. Library located at the Mankuppam village is not functioning properly and therefore, defacto complainant gave a complaint before the C.M Cell.



Crl.O.P.No.16075 of 2023

Enraged at this, petitioners assaulted the defacto complainant with iron rod and wooden log, as a result, defacto complainant sustained injuries.

Injured has been treated and discharged from the hospital. There is a counter case registered on the basis of the complaint given by A1, Crime No.417 was registered for the offence under Sections 294(b), 323, 324 and 506(2) of IPC against the defacto complainant.

4. Considering the nature, facts and circumstances of the case and the fact that injured victim has been discharged from the hospital 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.

5. 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 No.II, Ulundurpet** 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



Crl.O.P.No.16075 of 2023

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.

[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



WEB COPY



Crl.O.P.No.16075 of 2023

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.

24.07.2023

sma



WEB COPY



Crl.O.P.No.16075 of 2023

G.CHANDRASEKHARAN. J.

sma

Crl.O.P.No.16075 of 2023

24.07.2023