



Crl.O.P.No.16106 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners namely Murugesan, Suresh, Manjula and Thayammal who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 147, 294(b), 323, 324, 506(ii) of IPC in Crime No.230 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 147, 294(b), 323, 324, 506(ii) of IPC in Crime No.230 of 2023. He further submitted that, there is a counter case registered in Crime No.231 of 2023, on the basis of the complaint given by the 1st petitioner against the defacto complainant. A4 was arrested and released on bail. Apprehending arrest, this petition is filed.

3. In response, learned Government Advocate (Crl. Side) submitted that, there is a previous enmity between the defacto complainant's family and the accused. On 28.06.2023 at about



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05.30.p.m., accused had abused the defacto complainant and his mother in filthy language and also hit them with bricks and wooden log and also kicked them. As a result, both defacto complainant and his mother suffered injuries and they admitted in the hospital and discharged.

4. Considering the nature, facts and circumstances of the case and the injured victims have 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 I, Attur** 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



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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 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.

24.07.2023

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