



Crl.O.P.No.16871 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 Section 294 (b), 427, 323 & 506 (ii) of I.P.C, in Crime No.246 of 2023 on the file of the respondent police, seek anticipatory bail.

2.It is the submission of learned counsel for the petitioners that petitioners are falsely implicated as accused in Crime No.246 of 2023 for the offences under Section 294 (b), 427, 323 & 506 (ii) of I.P.C. There was a wordy quarrel in connection with having tea in Iyyangar Bakery. Apprehending arrest, this petition is filed seeking anticipatory bail.

3.In response, the learned Government Advocate (Criminal side) submitted that on 29.06.2023 at about 17.45 hours, defacto-complainant was having tea at Iyyangar Bakery in Pudukottai junction. Tamilselvan and Prakash had fighting with lorry drivers. Tamilselvan had damaged the two-wheeler of Kannan and he asked the defaco-complainant to give money. When he refused, Tamilselvan snatched his cellphone and broken



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it by throwing it on ground. He cut defacto-complainant's right index finger. As a result defacto-complainant suffered injuries. Injured was treated and discharged.

4.Considered the rival submissions and perused the records.

5.Considering the nature of allegations in the First Information Report and the fact that injured treated and discharged, this Court is of the view that custodial interrogation of the petitioners is not necessary. Thus, this Court is inclined to grant anticipatory bail to the petitioners. 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 Judicial Magistrate Court, Sendamangalam**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- each (Rupees Ten Thousand only) each 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



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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 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.

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