



Crl.O.P.No.17000 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners namely Anandhan and Bhuvaneswari, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323 and 324 IPC in Crime No.135 of 2023 on the file of the respondent police, seek anticipatory bail.

2. Learned counsel for the petitioners submitted that, petitioners are falsely implicated in this case in Crime No. 135 of 2023 for the offences under Sections 294(b), 323 and 324 IPC. Petitioners are innocents. It is his further submission that, petitioner has given a compliant against the defacto complainant and in that regard, first information report was registered in Crime No.36 of 2023. Apprehending arrest at the hands of the respondent, this petition is filed.

3. Learned Government Advocate (Criminal side), opposes this petition, on the ground that, on 07.07.2023 at about 7.30 p.m., in a road accident, involving a car driven by the accused and two wheeler driver by the defacto complainant, side view mirror of the car was damaged. Accused attacked the defacto complainant and his family members. As a result defacto complaint suffered simple injuries. He further submitted



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that, injured had been treated and discharged from hospital. Thus, he prays for dismissal of this petition.

4. Considering the nature of the incident and the fact that injured had been treated and discharged from the hospital and that material part of the investigation might have been over by this time, this Court is of the view that, custodial interrogation of the petitioners is not necessary and 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, Perundurai**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 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



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Aadhar card or Bank pass Book to ensure their identity.

[b] (i) the 1st petitioner shall report before the respondent police everyday at 10.30 a.m., until further orders;

(ii) the 2nd petitioner shall report before the respondent police as and when required for further interrogation;

[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].



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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 229A IPC.

03.08.2023

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