



Crl.O.P.No.18054 of 2023

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**RMT.TEEKAA RAMAN, J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 427, 323 and 506(ii) of IPC, in Crime No.257 of 2023, seek anticipatory bail.

2. The case of the prosecution is that due to dispute between two different community peoples, the petitioners have abused and assaulted the defacto complainant and others by using hands, threatened them and also damaged the windshield of the car belongs to the defacto complainant. Hence the case.

3.The learned counsel for the petitioner would submit that the petitioners are innocent persons and due to previous enmity, they have been falsely implicated in this case. He would further submit that it is a case and a case in counter in Crime No.258 of 2023. Hence, he prays for grant of anticipatory bail to the petitioners.



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4.The learned Government Advocate (crl.side) for the respondent Police would submit that due to dispute between two different community peoples, the petitioners have abused and assaulted the defacto complainant and others by using hands, threatened them and also damaged the windshield of the car belongs to the defacto complainant. He would further submit that it is a case and a case in counter. However, he opposed for grant of anticipatory bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner would submit that the petitioners, without prejudice to their rights and contentions before the trial Court, are ready and willing to deposit a sum of Rs.1,000/- each to the credit of Crime No.257 of 2023. Hence, he prayed for grant of anticipatory bail to the petitioners.

6.Heard the learned counsel on either side and perused the materials available on record.



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7. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side and also taking note of the fact that the petitioners have come forward to deposit an amount of Rs.1,000/- to the credit of crime number, this Court is inclined to grant bail to the petitioners with certain conditions.

8. Accordingly, the petitioners are directed to deposit a sum of Rs.1,000/- each to the credit of Crime No.257 of 2023, without prejudice to their rights and contentions before the trial Court and on such deposit and production of proof before the trial Court, the 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, Sendamangalam**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten 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



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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., for a period of four weeks and thereafter, as and when required for 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 abscond, a fresh FIR  
can be registered under Section 229A IPC.

**17.08.2023**

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