



Crl.O.P.No.17995 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, 148, 294(b), 323, 324, 354 and 506(ii) of IPC, in Crime No.476 of 2023, seek anticipatory bail.

2. The case of the prosecution is that during the temple festival, the accused have created nuisance and when it was questioned by the son of the defacto complainant, the accused joined together, trespassed into the house of the defacto complainant, attacked the defacto complainant and her son with iron rod and also threatened them. Hence the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and due to previous enmity, they have been falsely implicated in this case. He would further that it is a case and a case in counter in Crime No.473 of 2023. Hence, he prayed for grant of anticipatory bail to the petitioners.



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4.The learned Government Advocate (Crl.side) appearing for the respondent police vehemently opposed for grant of bail to the petitioners stating that due to previous enmity, the petitioners trespassed into the house of the defacto complainant, attacked the defacto complainant and her son with iron rod and also threatened them. He would further submit that the injured has been discharged from the hospital and it is a case and a case in counter. He would also submit that three previous cases are pending against the first petitioner, two previous cases are pending against the second petitioner and no previous case is pending against the third petitioner.

5.Heard the learned Counsel for the petitioners and the learned Government Advocate (Crl.side) and perused the materials available on record.

6.Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel for the petitioner and also of the fact that the injured has been discharged from the hospital, this Court is inclined to grant bail to the petitioners with certain



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conditions.

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7. Accordingly, the petitioners are is 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.I, Ulundurpet**, 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 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**



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interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner 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 abscond, a fresh FIR can be registered under Section 229A IPC.

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