



Crl.O.P.No.20030 of 2023

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G. CHANDRASEKHARAN, J.,

The petitioners namely Settu and VEDIYAPPAN, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294 (b), 323, 324 & 506 (2) IPC, in Crime No.288 of 2023, on the file of the respondent police, seek anticipatory bail.

2. It is the submission of the learned counsel for the petitioners that petitioners are first and second accused in Crime No.288 of 2023, registered for the offences under Sections 294 (b), 323, 324 & 506 (2) IPC @ Sections 294 (b), 323, 506 (2) & 326 IPC . They were not in the spot at the time of the alleged incident. However, they have been falsely implicated in this case. Therefore this petition.

3.In response, the learned Additional Public Prosecutor submitted that there is a dispute between the defacto complainant, first accused and second accused in connection with a land. On 01.06.2023, at about 5.30 p.m., first accused had damaged the bitter gourd plants in the



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land of the defacto complainant. When defacto complainant's son questioned, first accused picked up wordy quarrel with him. On 02.06.2023, at about 6.30 a.m., when the defacto complainant was going to supply milk, accused had hit her with wooden log on her mouth. As a result, she lost her three tooth. Second accused also hit her with stone on her back and slapped in her cheek and they made criminal intimidation against the defacto complainant. Thereby she suffered grievous injuries. Thus, he prayed for dismissal of this petition.

4. Considered the rival submissions and perused the records.

5. This is the second anticipatory bail petition. The earlier anticipatory bail petition filed by the petitioners in Crl.O.P.No.16385 of 2023 was dismissed on 26.07.2023. Since the dismissal of the first anticipatory bail petition, the respondent police had not taken any steps to arrest the petitioners. Further it is informed that the injured was discharged from the hospital.



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6. Taking into consideration the facts of the case and to take the case to the next level, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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, Arni, Thiruvannamalai** on condition that the each of 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 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



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[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 petitioner 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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