



Crl.O.P.No.19432 of 2023

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WEB C **RMT.TEEKAA RAMAN, J.**

The petitioners, who apprehend arrest for the alleged offences under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No.286 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that A1 and A2 waylaid the defacto complainant and his friends, demanded money for a sum of Rs.2 lakhs from them and when the defacto complainant refused to do so, A1 and A2 abused and assaulted the defacto complainant with beer bottle and stone. At that time, the petitioners went there, abused and assaulted the defacto complainant with hands and also threatened him. 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 submit that co-accused namely A1 and A2 were arrested and later enlarged on bail by the trial Court. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (crl.side) appearing for the respondent Police would submit that A1 and A2 demanded from the defacto complainant and when he refused to do so, A1 and A2 along with the petitioners abused and assaulted him with beer bottle, stone and by using hands and also threatened him. He would further submit that the defacto complainant has treated as out-patient in the hospital. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Heard both sides and perused the entire materials available on record.

6. 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 injured has been treated as out-patient in the hospital, this Court is inclined to grant bail to the petitioners with certain conditions.



7. Accordingly, 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 No.II, Hosur**, 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 daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial;



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[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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