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Crl.O.P.No.19438 of 2023

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Reserved On	31.08.2023
Pronounced On	05.09.2023

RMT.TEEKAA RAMAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under **Sections 147, 148, 448, 294(b), 323, 353, 355 and 506(2) of IPC in Crime No.460 of 2023** on the file of the respondent police, seek anticipatory bail.

2. The petitioners are the relatives of the student, who studied in the school where *de-facto* complainant/school teacher is working.

3. After hearing the learned Government Advocate (Crl.side), I find that a counter case in Crime No.459 of 2023 is registered against the *de-facto* complainant for the offence under Sections 324 and 506(2) of IPC.

4. The minor child of the 1st and 2nd petitioner herein was studying in the school where *de-facto* complainant was working as a Physics teacher. For the disturbance caused by the said minor



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boy/school student, it is alleged that, by using a scale he has beaten the boy, which caused contusion on hands, legs and thighs. Having infuriated by the same, petitioners herein are alleged to have attacked the school teacher and hence, the case was registered. A counter case also registered in the above stated Crime No.459 of 2023.

5. After hearing the parties, this Court has asked the petitioners to produce the photo copy of the student to show the injuries sustained by the boy.

6. After seeing the photographs and also taking note of the submissions made by the learned counsel, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

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 District Munsif cum Judicial Magistrate Court, Gummudipoondi**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) each with two sureties** each for a like sum to the satisfaction of the



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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 weekly twice i.e., on every Tuesday and Saturday at 10.30 a.m., until further orders;

[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.



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[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.

05.09.2023

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