



Crl.O.P.No.19589 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 294(b), 323, 324, 342 and 506(i) of IPC, in Crime No. 379 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there had been previous enmity between the petitioners and the defacto complainant. While so, on 28.07.2023 at about 10.30 p.m., when the defacto complainant was returning to his home from his workplace, the petitioners waylaid the defacto complainant and taken him in a car and abused him in filthy language and assaulted him with hands. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely roped in this case. He would further submit that the petitioners are relatives of the defacto complainant's wife and he deserted his wife without any valid



Crl.O.P.No.19589 of 2023

reasons, which was questioned by the petitioners. Hence, a false complaint has been given. He would also submit that the petitioners are ready to abide by any condition imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) for the respondent police would submit that the petitioners have waylaid the defacto complainant and taken him in a car and abused him in filthy language and assaulted him with hands and also threatened with dire consequences. He would further submit that he injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and circumstances and also taking note of the fact that the injured has been discharged from the Hospital, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions:



Crl.O.P.No.19589 of 2023

WEB COPY

6. 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 **Judicial Magistrate, Arakkonam**, on condition that the petitioners shall execute separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** each with two sureties 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 four weeks and thereafter, as and when required for interrogation.



Crl.O.P.No.19589 of 2023

[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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

31.08.2023

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Crl.O.P.No.19589 of 2023

RMT.TEEKAA RAMAN,J.

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Crl.O.P.No.19589 of 2023

31.08.2023