



Crl.O.P.No.22634 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 324 and 506(i) of IPC in Crime No.362 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, a case was registered by the respondent police against the accused persons who were alleged to have abused the defacto complainant, who was handling the temple accounts, assaulted him, caused multiple injuries and committed criminal intimidation. He further submitted that the petitioners have not committed any offence as alleged in the first information report and the petitioners shall abide by any condition imposed by this Court. Since, 1st petitioner has already been taken into custody, learned counsel for the petitioners seeks permission of this Court to withdraw this petition as against 1st petitioner. Thus, he prays for grant of anticipatory bail to the other petitioner.



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3. In response, learned Government Advocate (Criminal side) submitted that, there was a dispute between the petitioners and the defacto complainant regarding the maintenance of amounts relating to temple festival. The petitioners herein had assaulted the defacto complainant and made criminal intimidation. Thus, this petition may be dismissed.

4. Taking an over all consideration of the entire issue, this Court is inclined to grant anticipatory bail to the 2nd petitioner with certain conditions. This Criminal Original Petition is dismissed as against 1st petitioner, since he has already been arrested.

5. Accordingly, the 2nd petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, Namakkal** on condition that the 2nd petitioner shall execute a 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



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learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the 2nd petitioner 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 2nd petitioner shall report before the respondent Police, daily at 10.30 a.m., until further orders;

[c] the 2nd petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the 2nd 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 2nd petitioner in accordance with law as if the conditions have been imposed and the 2nd 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]**;



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

04.10.2023

mjs/gd

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