



Crl.O.P.Nos.22926 and 23001 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner in Crl. O.P. No.23001 of 2023 who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 324, 427 and 506(2) of IPC in Crime No.245 of 2023 and the petitioners in Crl. O.P. No.22926 of 2023 who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 324 and 506(2) of IPC in Crime No.246 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 the petitioner in Crl. O.P. No.23001 of 2023 has been falsely implicated as 4th accused in Crime No.245 of 2023 registered for the offences under Sections 294(b), 323, 324, 427 and 506(2) of IPC and the petitioners in Crl. O.P. No.22926 of 2023 have been falsely implicated as A1 to A3 in Crime No.246 of 2023 registered for the offences under Sections 294(b), 323, 324 and 506(2) of IPC. Thus, he prays for grant of anticipatory bail to the petitioners.



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3. It is stated by the learned Government Advocate (Criminal side) that the petitioners had been involved in wordy quarrel necessitating both of them to give complaints. The quarrel was about removal of “Jally” which was placed in front of the houses.

4. Taking an over all consideration of the entire facts of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. Accordingly, the **petitioner in Crl. O.P. No.23001 of 2023** 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.2, Mettur** and the **petitioners in Crl. O.P. No.22926 of 2023** are 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, Salem** 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



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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, every day at 10.30 a.m., for a period of two weeks and thereafter as and when required;

[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]**;



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

06.10.2023

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