



Crl.O.P.No.23836 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 392, 323 and 506(1) of I.P.C, in Crime No.78 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.It is the case of the prosecution that the petitioners and the other accused had assaulted the de-facto complainant and threatened him to move out of the village. An affidavit has now been filed by the first petitioner herein and he has stated as follows:-

".....7. I humbly submit that there is no dispute between the de-facto complainant and ourself at presently till date and both of us are residing in the very same village without any disturbance between each other."

3. In view of that particular undertaking given by the petitioner herein, this court is granted antiticipatory bail to the petitioners subject to the following conditions:



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4. 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-II, Nagapattinam**, 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 first petitioner shall report before the respondent Police, everyday at 10.30 a.m., for a period of two weeks and the second petitioner shall report before the respondent police, once in a week i.e., on every Monday at 10.30a.m., for a period of two weeks and thereafter, as and when required;**



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[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 abscond, a fresh FIR can be registered under Section 229A IPC.

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