



Crl.O.P.No.23486 of 2023

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Crl.O.P.No.23486 of 2023 and Crl.M.P.No.16962 of 2023

**C.V.KARTHIKEYAN, J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324, 506(ii) of IPC r/w. Sec.4 of TNPWH Act in Crime No.192 of 2023, seek anticipatory bail.

2. The case of the prosecution is that one Mr. Shanmugam and 2 others came to the petitioners' house and attempted to install CCTV Camera, consequent to which there was wordy quarrel between them and they assaulted each other. These petitioners had also assaulted with an iron rod. Hence, the complaint.

3. The learned counsel for the petitioners stated that the petitioners were falsely implicated in this case. These petitioners are innocent persons and they have not committed any offence as alleged by the respondent. Hence, he prays for grant of anticipatory bail.



Crl.O.P.No.23486 of 2023

WEB COPY

4. The learned Government Advocate (Crl.Side) appearing for the respondent police stated that this petitioner had lodged a complaint and FIR in Cr.No.191 of 2023 was registered and a learned single judge of this court had granted Anticipatory bail to the accused in Crl.OP.No.15248 of 2023 dated 12.07.2023. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the above facts, this Court is inclined to grant anticipatory bail to the petitioners herein with certain conditions.

6. It is only appropriate that all the parties endeavour to adduce evidence during the course of trial.

7. 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 Court, Cheiyur** on condition that the petitioner 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



Crl.O.P.No.23486 of 2023

WEB COPY

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 appear before the respondent police daily at 10.30 a.m., for the 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 petitioner in accordance with law as if the



Crl.O.P.No.23486 of 2023

WEB COPY

conditions have been imposed and the 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]**.

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

18.10.2023

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Crl.O.P.No.23486 of 2023

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gvn/nsi

Crl.O.P.No.23486 of 2023 and

Crl.M.P.No.16962 of 2023

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