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Crl.O.P.No.24108 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners herein seek anticipatory bail in Crime No.552 of 2023 registered by the respondent Police for the offences under Sections 147, 148, 341, 324, 384 and 506(ii) IPC and subsequently included Section 307 IPC.

2.The learned counsel for the petitioners submitted that the petitioners are innocents and they have been falsely implicated in this case. Thus, he seeks grant of anticipatory bail to the petitioners.

3.The learned Government Advocate (Criminal side) stated that the petitioners had unlawfully assembled and assaulted the defacto complainant on 03.08.2023 at about 10.30 p.m. According to the petitioners, the occurrence had actually happened at 11.30 p.m. It is also stated that the entire issue arose out of political rivalry and the fact was that there was a illegal mining which was complained of. Therefore, there was an assault, necessitating lodging of complaint and registration of FIR. There is also been a counter complaint given by the petitioners against the defacto complainant and his group, which had been



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registered as Crime No.553 of 2023 for the offence under Sections 147, 148, 341, 324, 363 and 506(ii) and 307 IPC. Even in that case, the injured had been discharged from the hospital. Both groups resided in the same place.

4.Taking all the factors into consideration, I am inclined to grant anticipatory bail to the petitioners with certain conditions.

5.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, No.I, Poonamallee**, 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.



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[b] the petitioners shall report before the respondent police daily at 10.00.a.m., until further orders.

[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;

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