



Crl.O.P.No.25352 of 2023

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C.V.KARTHIKEYAN,J.

The petitioners, seek anticipatory bail in Crime No.497 of 2023 registered by the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(2) of IPC

2. It is stated that the defacto complainant is running a two wheeler mechanic shop and the petitioners had raised the throttle of their two wheeler in the shop of the defacto complainant leading to quarrel which resulted in assault and further resulted in lodging a complaint and registration of FIR.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) for the respondent submitted that there was a wordy quarrel between the



Crl.O.P.No.25352 of 2023

petitioners and the defacto complainant due to which, the petitioners assaulted the defacto complainant. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. In view of the above facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

6. 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 **Judicial Magistrate No.I, Walajah** on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** each with two sureties 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:



Crl.O.P.No.25352 of 2023

WEB COPY

[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 everyday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[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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Crl.O.P.No.25352 of 2023

C.V.KARTHIKEYAN,J.

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

15.11.2023

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Crl.O.P.No.25352 of 2023