



Crl.O.P.No.26173 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners herein seek anticipatory bail in Crime No.348 of 2023 registered by the respondent Police for the offences under Sections 147, 341, 294(b), 323, 324 and 506(2) IPC.

2.The learned counsel for the petitioners stated that they have been falsely implicated as accused in this case. Apprehending arrest from the respondent police, he seeks bail to the petitioners.

3.The learned Government Advocate (Criminal side) stated that the defacto complainant had lodged a complaint on 22.10.2023 stating that the accused had waylaid him and attacked him with hands, beer bottles and wooden logs. It is further stated that there was earlier complaint given by the defacto complainant against the 1st accused which was closed by the respondent police after investigation. Taking that as a motive, the accused persons appeared to have attacked the defacto complainant.

4.Taking all these factors into consideration, I am inclined to grant



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anticipatory bail to the petitioners with certain conditions.

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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.1, Attur**, 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 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



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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;

17.11.2023

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