



Crl.O.P.No.27827 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A1-A4, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 427, 324 and 506(ii) of IPC in Crime No.370 of 2023, seeks anticipatory bail.

2.It is stated that on 28.08.2023, the 1st petitioner herein had fallen down in the bus stand in a drunken state and the defacto complainant questioned him about the same. It is also stated that the defacto complainant abused the 1st petitioner calling him by his caste name, for which, all the petitioners joined together and said to have assaulted the defacto complainant. There is also a counter case given by the petitioners as against the defacto complainant, which also included the provisions under section SC and ST Act.

3. Taking all these factors into consideration, this Court is



inclined to grant anticipatory bail to the petitioners herein.

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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, Thiruvarur, 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 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 10.30 a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.



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[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.

13.12.2023

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