



Crl.O.P.No.341 of 2024

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C.V.KARTHIKEYAN,J.

The petitioners who apprehend arrest at the hands of the respondent Police for the offences registered under Sections 341, 294(b), 324, 506(ii) of IPC and subsequently altered to Sections 341, 294(b), 324, 506(ii), 147, 148, 323 and 307 of IPC in Crime No.411 of 2023, seek anticipatory bail.

2.The petitioners are arrayed as A3 and A4. The FIR came to be registered on 11.12.2023. The entire issue is a fallout of political enmity and naturally, there is much heat generated, but the Court has to focus on the nature of the offences and not on the offenders.

3. It is stated that on 10.12.2023, when the petitioners and the other accused were present in the agricultural land of the defacto complainant, the defacto complainant asked them to leave his land which led to a quarrel which escalated into violence and assault of the defacto complainant. Originally, the FIR was registered under Section 324 of IPC and subsequently, it was altered to Section 307 of IPC. It is also stated that the injured was in hospital for a considerable period of time, since he has discharged from the hospital.

4.On the side of the respondent, a counter has been filed and



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objections have been raised stating that the investigation has not yet been completed and that the area is still tense and there would be possibility of retaliation attacks taking place. So far as A3 and A4 are concerned, there is one previous case each against them.

5.Taking all the factors into consideration and the period of incarceration and also that the injured had been discharged from the hospital and there is no additional hostility in the area, I am 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, Attur, Salem**, 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:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their



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Aadhar card or Bank pass Book to ensure their identity.

[b]the petitioners shall stay at Trichy and report before the Inspector of Police, Rock Fort Police Station, Trichy, everyday at 10.30 a.m., until further orders.

[c] the petitioners shall not abscond either during investigation or trial.

[d] the petitioners shall not tamper with evidence or witness 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.

12.01.2024

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