



Crl.O.P.No.736 of 2024

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C.V.KARTHIKEYAN, J.

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323,324,324 and 506(ii) of Indian Penal Code, 1860 in Crime No. 2 of 2024, seek anticipatory bail.

2.The case of the prosecution is that owing to money dispute between the defacto complainant and the first petitioner there was a quarrel between them, due to which the petitioners attacked the defacto complainant and his brother and caused injuries to them.

3.The learned Government Advocate stated that A2 had been arrested and still in custody. It is stated as against the first petitioner/A1 there are 3 previous cases similar in nature. He further stated that the injured has been discharged from the hospital.

4.Taking into consideration that there are three previous cases against the first petitioner this petition is dismissed with regard to first petitioner and for the second and third petitioners, this Court is



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inclined to grant anticipatory bail to the second and third petitioners with certain conditions.

5. Accordingly, these second and third petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Sendamangalam, Namakkal District**, on condition that the second and third petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten thousand only) each 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 this Court concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the second and third 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 second and third petitioners shall appear before the respondent police daily at 10.30 a.m., until further orders.

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



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[d] the second and third 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 second and third petitioners in accordance with law as if the conditions have been imposed and the second and third 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.

22.01.2024

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