

CrI.O.P.No.1008 of 2024**C.V.KARTHIKEYAN, J.**

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323 and 506(i) of IPC in Crime No. 593 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the first petitioner is the Ward Councilor and the second petitioner is the brother of the first petitioner. It is stated that there was a dispute regarding to tender called by the Ponneri Municipality for water supper. At that time, there was a wordy quarrel between the petitioners and the defacto complainant and thereafter, the petitioners abused the defacto complainant with filthy language and attacked the defacto complainant and others. Hence, this case.

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

4. The learned Government Advocate (Criminal Side) for the respondent would submit that there is a case in counter case and there was a dispute regarding to a Tender called by the Ponneri Municipality for water supper. At that time, there was a wordy quarrel between the petitioners and the defacto complainant and thereafter, the petitioners



abused the defacto complainant with filthy language and attacked the defacto complainant and others. However, he opposed for grant of anticipatory bail to the petitioners.

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5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioners.

7. 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 is made ready, before the **learned Judicial Magistrate, Ponneri, Thiruvallur District**, on condition that each of the 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 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., 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]**.

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

29.01.2024

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