



Crl.O.P.No.3152 of 2024

Crl.O.P.No.3152 of 2024

WEB COPY

C.V.KARTHIKEYAN, J.

The petitioners/A1 to A5 seek anticipatory bail in Crime No.43 of 2024 originally registered by the respondent Police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 352 and 506(2) of IPC and altered into Sections 147, 148, 294(b), 323, 324, 352, 506(2) and 304(ii) of IPC.

2. It is stated that the defacto complainant and the petitioner are relatives. It is also stated that the defacto complainant and her husband went to attend the funeral function of another relative in which the petitioner herein was also present. At that time, it is stated that the first petitioner had thrown bricks on the chest of the husband of the defacto complainant who, was initially admitted to hospital and discharged, and on the next day, he died. There is no direct overt act alleged as against the first petitioner herein. There were other persons at that time of funeral.



Crl.O.P.No.3152 of 2024

WEB COPY

3. Taking all those factors into consideration, without entering any further discussion, this Criminal Original Petition stands dismissed as against the 1st petitioner and anticipatory bail is granted as against the 2nd, 3rd, 4th and 5th petitioners.

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 **Judicial Magistrate No.II, Tiruvannamalai**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 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.



Crl.O.P.No.3152 of 2024

WEB COPY

[b] the 2nd and 3rd petitioners shall report before the respondent police everyday at 10.30 a.m. until further orders and the 4th and 5th petitioners shall report before the respondent once a week i.e., every Saturday 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 absconds, a fresh FIR can be registered under Section 229A IPC.

14.02.2024

rjr



WEB COPY



Crl.O.P.No.3152 of 2024

C.V.KARTHIKEYAN, J.

rjr

Crl.O.P.No.3152 of 2024

14.02.2024