



Crl.OP.Nos.3395 and 2364 of 2024

Crl.O.P.Nos.3395 and 2364 of 2024

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**C.V.KARTHIKEYAN,J.**

The petitioners/A3, A4, A6 have filed Crl.OP.No.3395 of 2024 and the petitioner/A1 has filed Crl.OP.No.2364 of 2024, both in Cr.No.6 of 2024 registered by the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 307 of IPC seek anticipatory bail.

2. It is stated that on 09.01.2024, the defacto complainant had gone over to a Government School at Kaduganur in Cheyyar in Thiruvannamalai District, to collect tokens for Pongal festival from the ration shop. It is stated that A1, who was the Panchayat President was issuing tokens to the public. At that time, a wordy quarrel arose between the defacto complainant and A1.

3. It is stated by the learned Government Advocate (Crl.Side) that A1 was issuing tokens in the names of dead persons and this was the genesis for the quarrel. The matter could have ended there, but, however



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on the next day ie., 10.01.2024 when the defacto complainant was standing near the bus stop, it is stated that A1 along with the other accused had attacked the defacto complainant causing injuries which necessitated offence under Section 307 IPC to be registered.

4. The learned counsel for the petitioner stated that the petitioner had given a complaint against the defacto complainant earlier and as a counter blast, the present complaint had been given. It is further stated that the earlier complaint given by the petitioners is still under investigation.

5. The Court, therefore to find out the veracity had perused the Accident Register with respect to the injuries suffered by the defacto complainant. It is seen that there are laceration injuries caused which could be caused only by knife and also the elbow of the defacto complainant had been broken and he had suffered a compound fracture in the elbow. Therefore, they cannot be an allegations of a false complaint being lodged. The offence had occurred.



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6. The learned counsel for the petitioners, then, for reasons best known to him stated that both the petitioners and the defacto complainant belong to two different political parties. That does not give any liberty to the petitioners to break the elbow of the defacto complainant and cause laceration injuries with a knife.

7. Taking all these factors into consideration, on the ground that the other accused are only pawns in the hands of A1, so far as, A3, A4 and A6 who have filed Crl.OP.No.3395 of 2024 are concerned, this Court is inclined to grant anticipatory bail to them.

8. Accordingly, the petitioners/ A3, A4 and A6 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 Court, Cheyyar* on condition that each of the petitioners/ A3, A4 and A6 shall execute separate bonds 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



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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/ A3, A4 and A6 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/A3, A4 and A6 shall report before the respondent police everyday at 10.30 a.m.,until further orders.

[c] the petitioners/A3, A4 and A6 shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners/A3, A4 and A6 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//A3, A4 and A6 in accordance with law as if the conditions have been imposed and the petitioners//A3, A4 and A6 released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble



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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.

9. A1 had filed Crl.OP.No.2364 of 2024, which has to suffer an order of dismissal. Accordingly, Criminal Original Petition stands dismissed.

**05.03.2024**

Vv



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