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Crl.O.P.No.7321 of 2024

T.V.THAMILSELVI, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under **Sections 147, 148, 294(b), 323, 324 and 506(2) of IPC in Crime 25 of 2024**, seek anticipatory bail.

2. The case of the prosecution is that the petitioners assaulted the defacto complainant and also abused him in filthy language. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioners are an innocent persons and they have not committed any offence as alleged by the prosecution. Further, the petitioners herein sustained injuries on the date of alleged occurrence but that complaint was not accepted by the respondent police. Therefore, he prays to grant anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl. side) would submit that the petitioners have attacked the defacto complainant and caused injuries. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case, all the parties are family members and there was dispute among them due to which there was wordy quarrel and the victim sustained injuries. Further, the victim was discharged from the hospital. Hence, this Court is inclined to grant anticipatory bail to the petitioners with certain 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 learned Judicial Magistrate, Paramathi Velur, Namakkal District on condition that the petitioners shall execute a 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 first petitioner shall report before the respondent police 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court



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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.

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