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Crl.O.P.No.8372 of 2024

T.V.THAMILSELVI, J.

The petitioners who apprehend arrest for the alleged offence under Sections 294(b), 341, 323, 324 and 506(2), 34 IPC in Crime No. 166 **of 2024** on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused person attacked the defacto complainant and abused him in filthy language. Hence, the case.

3.The learned counsel appearing for the petitioners submit that the petitioners have not committed any offence as alleged by the prosecution. However, on instructions, the learned counsel further submitted that the petitioner,s on his own volition, is ready and willing to contribute a some amount to the charitable purpose as imposed by this Court. Learned counsel prays to grant anticipatory bail to the petitioners.



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4.The learned **Government Advocate (Crl side)** submits that second petitioner was arrested and remanded to judicial custody. However, vehemently oppose for granting anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the investigation is completed. Hence, this Court is inclined to grant anticipatory bail to the first petitioner with certain conditions.

6. As regards the second petitioner, he was arrested and remanded to judicial custody. Hence, the petition against the second petitioner is dismissed as infractious.

7.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate No.II, Thirupathur on condition that the petitioner 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



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or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on further condition that:

[a] the first petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of crime No. 166 of 2024 within a period of two weeks from the date of receipt of copy of this order.

[b] the first petitioner 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.

[c] the first petitioner is directed to report before the respondent police on every Sunday at 10.30 a.m., for a period of four weeks, and thereafter as and when required for interrogation.

[d] the first petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the first petitioner shall not abscond either during investigation or trial.



[f] 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 petitioner 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]**.

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

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