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Crl.O.P.No.8460 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, 341, 294(b), 323, 324, 427 and 506(ii) of IPC in Crime No.25 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused persons waylaid the defacto complainant assaulted and also abused him. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioners are an innocent persons and they not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.

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



5. Considering the above fact and circumstances of the case and also considering the fact that injured is discharged from the hospital. Hence, this Court is inclined to grant anticipatory bail to the petitioner 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, Kumarapalayam**, 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.



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[b] the petitioners shall report before the respondent police on every Wednesday at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation. Further, the petitioners shall deposit a sum of Rs.10,000/- each to the crime No. 25 of 2024 within a period of two weeks from the date of receipt of a copy of this order.

[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 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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