



Crl.O.P.No.8787 of 2024

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T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 324, 506(ii) of IPC, in Crime No.111 of 2024, seek anticipatory bail.

2. The case of the prosecution is that on 26.03.2024, when the petitioners and their friends questioned the defacto complainant about funds misappropriation, due to which, the wordy quarrel arose between the petitioner and the defacto complainant with aruval and bottles causing injury to the defacto complainant. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are no way connected with the alleged offence as stated by the prosecution. He further submits that the petitioners are ready to abide by any condition that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.



Crl.O.P.No.8787 of 2024

WEB COPY

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that due to wordy quarrel between the petitioners and the defacto complainant with regard to funds misappropriation, for which the petitioners attacked the defacto complainant with aruval and bottles causing injury to him. He further submits that the injured has been discharged from the hospital. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioners.

5. Taking into consideration the facts and the submissions made by both counsels and the fact that the petitioners without prejudice to their rights are volunteered to deposit a sum of Rs.10,000/- to the credit of the Crime Number, this Court is inclined to grant **anticipatory bail** to the petitioners with certain conditions.

6. Accordingly, the petitioners are ordered to be released on anticipatory 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, Thiruthuraipoondi**, on condition that the



Crl.O.P.No.8787 of 2024

petitioners shall execute a separate 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 shall deposit a sum of Rs.10,000/- to the credit of Crime No.111 of 2024 before the learned Judicial Magistrate, Thiruthuraipoondi, within a period of two weeks from the date of receipt of a copy of this order and on such deposit, the de-facto complainant is permitted to withdraw the same, on filing undertaking affidavit and proper identification and acknowledgment;

[b] 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;

[c] the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of eight weeks;



CrI.O.P.No.8787 of 2024

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioners 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 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]**;

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

10.04.2024

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Crl.O.P.No.8787 of 2024

T.V.THAMILSELVI, J.

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Crl.O.P.No.8787 of 2024

10.04.2024