



Crl.O.P.No.9023 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), 323, 324, 506(ii) of IPC, in Crime No.73 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioners were residing in the same village. The defacto complainant was married to one Ramya, who was belonged to the lower caste community. She was not permitted into the kovil due to community problems, for which the defacto complainant obtained an order for entering kovil premises from the RDO, Dharapuram, due to which there was a wordy quarrel aroused between them and attacked each other. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are in no way connected with the alleged offence as stated by the prosecution. He further submits that due to lower caste community, there was a wordy quarrel aroused between them and thereby the petitioners have been



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falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioners attacked the defacto complainant regarding the marriage of defacto complainant's wife, who belonged to lower caste community. 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 of the case and the submissions made by the counsels, this Court is inclined to grant Inter-State anticipatory bail to the petitioners.

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 (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate, Dharapuram***, on condition that the petitioners shall execute a



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bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, with two sureties, 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 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 Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners 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 petitioners in accordance with law as if the conditions has been imposed and the petitioners are released on bail by the learned Magistrate/Trial Court himself as laid own by the Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]*; and;



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[f] if the accused thereafter absconds, a fresh FIR can be registered
under Section 229-A IPC;

15.04.2024

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