



Crl.O.P.No.9089 of 2024

Crl.O.P.No.9089 of 2024

WEB COPY

T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 341, 294(b), 323, 324, and 506(ii) of IPC in Crime No.24 of 2024, seek anticipatory bail.

2. The case of the prosecution is that on 06.04.2024, petitioners/accused have assaulted the defacto complainant one Kuppuraj near his residence. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they are close relatives, and they have not committed any offence as alleged by the prosecution. He further submits that the first petitioner is the son of third petitioner, the second petitioner is a relative, and the 3rd petitioner is the defacto complainant's sister son. While all the petitioners were standing near their residence, the defacto complainant in a drunken state quarreled with the petitioners and thereby, a false case has been foisted against them. He also submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence,



he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (CrI.Side) appearing for the respondent submitted that the petitioners are close relatives regarding money dispute, there was a wordy quarrel between the petitioners and the defacto complainant and thereby caused injury to the defacto complainant. 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. At this juncture, the learned counsel for the petitioners, on instructions, submitted that without prejudice to the rights, the petitioners are prepared to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of crime number and also submitted that the petitioners has no objection in the amount being released in favour of the de-facto complainant.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel 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.

7. Accordingly, the petitioners are ordered to be released on bail in



Crl.O.P.No.9089 of 2024

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 No.I, Udumalaipettai*, on condition that the petitioners shall execute a 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 shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.241 of 2024 before the learned Judicial Magistrate No.I, Udumalaipettai, within 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;

T.V.THAMILSELVI,J.



WEB COPY



Crl.O.P.No.9089 of 2024

drl

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

[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 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]**;

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

15.04.2024

drl

Crl.O.P.No.9089 of 2024