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Crl.O.P.No.9349 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 and 506(i) of IPC in Crime No.68 of 2024, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that on 01.04.2024 at about 7.00 p.m, when the petitioners and other accused went to the shop of the defacto complainant, they demanded Rs.100/- from him. When he refused, a wordy quarrel arose between them, during which they also used filthy language and attacked with hands, thereby causing injury. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submits that there is no specific overt act attributed as against the petitioners. He further submits that they are ready



Crl.O.P.No.9349 of 2024

to abide by any conditions that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that there was a wordy quarrel between the petitioners and defacto complainant for demanding a sum of Rs.100/-, due to which, the petitioners attacked the defacto complainant causing injury to him. He further submits that the petitioners has one previous case pending against them. 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 learned counsels, this Court is inclined to grant anticipatory bail to the petitioners 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 (15) days from the date of receipt of a copy of this order before the *learned Judicial*



Crl.O.P.No.9349 of 2024

Magistrate No.I, Mettur, Salem District, 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 are directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of the **Advocate Clerk Association, Salem District**, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below.

(b) 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;

[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;



Crl.O.P.No.9349 of 2024

T.V.THAMILSELVI, J.

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[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 has been imposed and the petitioner is 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;

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

17.04.2024

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Crl.O.P.No.9349 of 2024