



Crl.O.P.No.11462 of 2024

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K.KUMARESH BABU, J.

The petitioners seek anticipatory bail in Crime No.64 of 2024 registered by the respondent Police for the offences under Sections 294(b), 324, 506(2) IPC.

2. The case of the prosecution is that the defacto complainant is the brother of A1. On 06.04.2024, the accused came to the house of the defacto complainant and hit at the front of the house and broken the sand wall of the house. When the defacto complainant questioned the same, the accused abused the defacto complainant with filthy language and attacked him with stones, thereby caused grievous injury. Hence this complaint.

3. The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and a false case has been foisted against them. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the accused attacked the defacto complainant with stones due to property dispute and caused grievous injury.

The defacto complainant was admitted in hospital and now, he is discharged



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from hospital.

5. Taking all the factors into consideration and the injured is discharged from the hospital, I am 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 days from the date on which the order copy made ready, before the learned **Judicial Magistrate, Tiruchangode**, on condition that the 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 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.

[b] the petitioners shall report before the respondent police everyday at 10.00 a.m., for a period of two weeks and thereafter, as and when required for interrogation.



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[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 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];

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

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