



Crl.OP.No.11568 of 2024

S.SOUNTHAR, J

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The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 323, 324 and 506(2) of IPC in Crime No.292 of 2024, seek anticipatory bail.

2. The case of the prosecution is that due to civil dispute, the petitioners/accused had waylaid the defacto complainant, abused him in filthy language, assaulted him with knife and also caused injuries to him. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he seeks to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal side) stated that, due to civil dispute, the petitioners/accused waylaid the defacto complainant, abused him in filthy language, assaulted him with knife and also caused



injuries to him. He also submitted that the injured victim was discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) and perused the materials available on record.

6. Having regard to the allegations made against the petitioners in the FIR and also the fact that the injured was discharged from the hospital, 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 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-I, Thindivanam* on condition that each of the petitioners shall execute separate bonds for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, each for a like sum to the satisfaction of the



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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 every day at 10.30 a.m., for a period of two weeks ;

[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.

29.05.2024

Vv

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