



Crl.OP.No.11683 of 2024

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K.KUMARESH BABU, J.

The petitioners/ A14, A15, A19, A21 and A22 in Crime No.27 of 2024 registered by the respondent police for the offences punishable under Sections 147, 148, 341, 294(b), 332, 358 and 506(ii) of IPC seeks anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant, due to which, the petitioners have abused the defacto complainant in filthy language and assaulted him. Hence, the complaint.

3. The learned counsel for the petitioners stated that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) for the



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respondent stated that the petitioners had abused and assaulted the defacto complainant. He further stated that investigation has been completed and final report filed. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Taking all the factors into consideration and the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioners subject to the following 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, Thirukovilore, Kallakurichi District* 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, 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



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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 on everyday at 10.30 a.m., until further orders.

[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.

09.05.2024

vsn



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