



Crl.O.P.No.12003 of 2024

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C.SARAVANAN, J.

The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323, 324 and 506(ii) of IPC in Crime No.300 of 2024, seek anticipatory bail.

2. The case of the prosecution is that on 12.05.2024 at about 3.00 p.m., when the de facto complainant was standing near the paid toilet in the street, his relative was walking in front of the paid toilet. At that time, A1 who is residing in the same street came in the two wheeler, in such a way, he was hit the de facto complainant and he caused injury. Therefore, there was a wordy quarrel between them. Hence, this complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. It appears that there was a pre-existing dispute between the de facto complainant and the accused. The de facto complainant was injured and therefore, FIR in Crime No.300 of 2024 came to be filed against the Accused Nos.1 to 4 (petitioners herein



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accused nos.3 and 4). Therefore, he prays to grant anticipatory bail to the petitioners.

4. Mr.R.Vinothraja, learned Government Advocate (Criminal Side) for the respondent would submit that the Accused Nos.1 and 2 have already been given a bail by the Judicial Magistrate, Dharapuram in Crl.M.P.No.424 of 2024 on 20.05.2024. He further submits that the de facto complainant has also been discharged from the hospital. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and also the submissions made by either sides, 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



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Judicial Magistrate, Dharapuram, on condition that each of the petitioner shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) 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 daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[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



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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.

22.05.2024

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