



Crl.O.P.No.12547 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 147, 148, 294(b), 323, 324, 506(ii) and 379 of IPC in Crime No.108 of 2024, seek anticipatory bail.

2. The case of the prosecution is that petitioners along with other accused persons, due to previous enmity went into the house of the de-facto complainant and attacked with a wooden log and snatched 2 Sovereign gold chain, cell phone and Rs.5000/- cash and left from the place. Due to which de facto complainant got injured and admitted in the hospital. Hence, the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have been falsely implicated in this case. He further submits that 3rd petitioner is a driver in TNSTC and they petitioners are ready to abide by any conditions that may be imposed on the



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petitioners. Therefore, he prays to grant anticipatory bail to the petitioners.

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4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that petitioners and other accused came to the de-facto complainant's house, wordy quarrel arose and assaulted and took away 2 Sovereign gold chain, cell phone and Rs.5000/- cash. He further submits that one has greivous injury and others were injured and that injured were discharged from Hospital. However, he opposed for the grant of anticipatory bail to the petitioners.

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

6. Considering the facts and circumstances of the case and injured discharged from Hospital and investigation is almost completed, considering that this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



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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 (15) days from the date of receipt of a copy of this order before the ***learned Judicial Magistrate No. 2, Attur***, 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 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;

[b] **the petitioners shall appear before the respondent police 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;



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[e] 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 down by the Hon'ble Supreme Court in ***P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560]***; and;

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

04.06.2024

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