



Crl.O.P.No.12429 of 2024

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C.SARAVANAN, J.

The petitioners/A1 to A3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(i) of IPC in Crime No.240 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the 1st petitioner drove the two wheeler in a rash and negligent manner and dashed against the husband of the defacto complainant. When the husband of the defacto complainant questioned the same, the petitioners abused, threatened and attacked him. Hence, the case.

3.The learned counsel for the petitioners submits that the petitioners are innocent and they have not committed any offence as alleged by the prosecution. He further submitted that originally the defacto complainant assaulted the 1st petitioner for which, a counter complaint has been registered in Crime No.239 of 2024 as against the defacto complainant. Therefore, he prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Criminal Side) submits that the defacto complainant/injured has been discharged from the hospital. She further submits that there is no previous case is pending against the petitioner.



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5. Considering the facts and the submission made by the learned Government Advocate (Criminal side) that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail subject to a condition that the petitioners have to donate a sum of Rs.15,000/- to any registered Orphanage in Villupuram, without prejudice to his defence.

6. Accordingly, the petitioners are directed to donate a sum of Rs.15,000/- (Rupees fifteen thousand only) to any registered Orphanage in Villupuram District and on production of proof for the same, 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 is made ready, before the learned Judicial Magistrate No.II, Kallakurichi on condition that the petitioners shall execute separate bond each 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



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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 every Saturday at 10.30 am for a period of four 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 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.

24.05.2024

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