



Crl.O.P.No.12709 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, 448, 294(b), 324 and 506(ii) of IPC in Crime No.67 of 2024, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity with regard to the administration of temple, petitioners and others during festival of temple had wordy quarrel with the de facto complainant and assaulted with wooden log and knife and threatened with dire consequences. Due to that, de facto complainant sustained injury, 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 petitioners are ready to abide by any conditions that may be imposed on the petitioners. Therefore, he prays to grant



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anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that petitioners during festival of temply attacked the de facto complainant with wooden log and knife and that injured admitted in hospital and was discharged. However, he opposed for the grant of anticipatory bail to the petitioners.

5. Intervenor raised strong objection stating that, in respect of administration of temple there was wordy quarrel on the festival of temple, petioenrs attacked with knife and threatened with dire consequences, due to which victim got injured severely injured, to that effect medical records also submitted before this Court. Hence, he strongly opposed to grant anticipatory bail to the petitioners.

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

7. On perusal of the discharge summary, it reveals that injury was



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simple in nature and victim discharged from hospital. On seeing the fact that all are close relatives, in respect of administration of temple there was already dispute among them. Considering the facts and circumstances of the case and also the fact that investigation is almost completed, considering that this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

8. 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. 1, Hosur***, 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



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the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall stay at Namakkal and shall appear before the Namakkal Town police station daily at 10.30. a.m for a period of Four(4) 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 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;



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04.06.2024

To

The Station House Officer,
Namakkal Town Police Station,
Namakkal District.



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