



Crl.O.P.No.12997 of 2024

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S. SOUNTHAR, J.

The petitioners herein seek anticipatory bail in Crime No.277 of 2024 registered by the respondent Police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC.

2. Learned counsel for the petitioners submitted that the petitioners are innocent persons and they have nothing to do with the alleged offence. He further submitted that the de facto complainant has given a false case against the petitioners with an ulterior motive. He also submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

3. Learned Government Advocate (Criminal Side) submitted that, due to the previous enmity with regard to the pathway dispute, the petitioners/accused have waylaid the de facto complainant, abused him in a filthy language and also attacked him with wooden logs and crow bar, causing grievous injuries on his head. He further submitted that the victim was admitted in hospital and later, discharged and also submitted that two previous cases are pending against the petitioners herein, hence, he opposed for grant of



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anticipatory bail to the petitioners.

4. Having regard to the nature of the allegation made against the petitioners and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

5. 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 is made ready, before the learned **Judicial Magistrate, Omalur, Salem District**, on condition that the petitioners shall execute separate bond each 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 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;



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[b] the petitioners shall report before the respondent police 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 petitioner 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;

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