



Crl.O.P.No.12796 of 2024

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S.SOUNTHAR, J.

The Petitioners/Accused in Crime No.135 of 2024 registered by the respondent police for the offences under Sections 294(b), 323, 324, 379 & 506(ii), seek anticipatory bail.

2. The learned Government Advocate (Criminal Side) stated that due to previous enmity between the petitioners and the defacto complainant with regard to celebration of the Kalamman temple festival, on the date of occurrence, the petitioners waylaid the defacto complainant and assaulted him and had stolen away a cell phone and 2 ½ sovereign chain from the defacto complainant. Hence, this case. He also added that the injured has been discharged from the hospital.

3. The learned counsel for the Petitioners stated that the Petitioners are innocent persons and have not committed any offence as alleged. They have been falsely implicated in this case. Thus, he prays for grant of anticipatory bail to the Petitioners herein.



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4. Taking all the factors into consideration and also that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the Petitioners subject to the following conditions. 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 **Judicial Magistrate Katpadi, Vellore District**, on condition that the petitioners shall execute 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 conditions 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 jointly deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) to the credit of Crime No.135 of 2024 before the trial Court.



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[c] the petitioners shall report before the respondent police daily at 10.30 a.m. until further orders.

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioners shall not abscond either during investigation or trial.

[f] 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]**.

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

29.05.2024

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