



Crl.O.P.No.13955 of 2024

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T.V.TAMIILSELVI, J.,

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b) and 506(ii) of IPC in Crime No.184 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that due to previous enmity, there was wordy quarrel the petitioners along with other accused assaulted the defacto complainant with hands and caused injuries. Hence the case.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. He further submitted that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) appearing for the respondent raised objection stating that due to previous enmity, there was



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wordy quarrel and that petitioners along with other accused assaulted the defacto complainant and caused injuries to her. He further submits that the first petitioner is ranked as A1, having 12 previous cases pending against him and the second petitioner is ranked as A3, having no previous case. He also submits that the injured has been discharged from the hospital.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking note of the fact that the first petitioner is having 12 previous cases against him, this Court is not inclined to grant anticipatory bail to the first petitioner. Therefore, this Criminal Original Petition is dismissed as against the first petitioner.

7. As far as the second petitioner is concerned, considering the facts and circumstances of the case and the fact that the injured has been discharged from the hospital and there is no previous case against him, this Court is inclined to grant anticipatory bail to the second petitioner with certain conditions.



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8. Accordingly, the second petitioner is ordered to be released on anticipatory bail in the event of arrest or on his 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.V, Vellore**, on condition that the second petitioner shall execute a 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 and on further condition that:

[a] the second petitioner 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 second petitioner shall report before the respondent police, on alternate days at 10.30 a.m., for a period of eight weeks and thereafter, as and when required for interrogation;

[c] the second petitioner shall not tamper with evidence or witness either during investigation or trial;



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[d] the second petitioner 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 second petitioner in accordance with law as if the conditions has been imposed and the second petitioner is released on anticipatory 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;

18.06.2024

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