



Crl.O.P.No.13862 of 2024

T.V.THAMILSELVI, J.

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The petitioners, who apprehend arrest for the alleged offences punishable under Sections 342, 324 & 506(ii) @ U/s. 342, 324, 506(ii) & 307 of IPC in Crime No.248 of 2024 on the file of the respondent/police, seek anticipatory bail.

2.It is the case of the prosecution that on 29.05.2024 when the defacto complainant had attended the village Gangaiamman festival at around 09.30 p.m. while the defacto complainant had intent to return to home at that time due to previous enmity the petitioners had joined together and assaulted the defacto complainant in which he had sustained injury and taken to the hospital. Hence the complaint.

3.The learned counsel appearing for the petitioners would submit that they are the respectable law abiding citizen, no prejudice would be caused to the prosecution if enlarged on bail. The petitioners undertake not to abscond or evade due process of law. They are ready to abide by any condition that may be imposed by this Court. Hence, the learned counsel prays to grant anticipatory



bail to the petitioners.

4.The learned Government Advocate (Crl. Side) vehemently opposed for grant of anticipatory bail to the petitioners.

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

6.Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners.

7.Accordingly, the petitioners are directed 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 learned Judicial Magistrate No.III, Vellore District, on condition that the petitioners 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 the petitioners, or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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(a) the petitioners 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 petitioners shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Crime No.248 of 2024, before the concerned Magistrate within a period of four weeks from the date on which the order copy made ready and on such deposit, the defacto complainant is permitted to withdraw the said amount on filing undertaking affidavit and proper identification and acknowledgment;

(c) the final order in respect of the said deposit shall be passed by the learned trial judge at conclusion of trial;

(d) the petitioners shall appear before the respondent police on every alternate day at 10.30 a.m. until further orders;

(e) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(f) the petitioners shall not abscond either during investigation or trial;

(g) 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



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Judge himself as laid down by the Hon'ble Supreme Court
in P.K.Shaji Vs. State of Kerala [(2005) AIR SCW 5560];
and;

(h) if the accused thereafter absconds, a fresh FIR can
be registered under Section 229-A IPC.

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