



Crl.O.P.No.13905 of 2024

T.V.THAMILSELVI, J.

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The petitioners, who apprehend arrest for the alleged offences punishable under Sections 147, 294(b), 324, 363 and 307 IPC in Crime No.254 of 2024 in Crime No.254 of 2024 on the file of the respondent/police, seeks anticipatory bail.

2.It is the case of the prosecution that the defacto complainant and the petitioners are friends and the defacto complainant is a 1st year Gradate of A1-Ameen College, Erode and the 4th petitioner's daughter, Iliyana Sherin, from Ganirauther Kulathai, is studying in 12th Grade at the Same School. Now, she is currently in her 1st year at Dinal Velalar College, Erode. Thereafter, both the defacto complainant and the 4th petitioner's daughter are in love for the past two years. Meanwhile, the 1st accused and his parents could not accept their love, and they threatened the defacto complainant. On 07.06.2024 at around 10.30 a.m. petitioners and other accused person had a wordy quarrel using filthy language. Thereafter the petitioners were kidnapped the defacto complainant, assaulted and threatened to kill him. Hence the complaint.



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3.The learned counsel appearing for the petitioners would submit that they were no way connected in this occurrence, the respondent police falsely implicated the petitioners in this case. They undertake to provide sufficient and solvent sureties and they shall abide by any stringent conditions imposed by this Court. If bail is granted, the petitioners are ready to undertake to co-operate with the investigation. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) submitted that the petitioners assaulted the defacto complainant and threatened to kill him. Hence he 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.



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7. Accordingly, the petitioners is directed to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.1, Erode**, 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:

(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)** each to the credit of the Crime No.254 of 2024, before the Judicial Magistrate concerned, within a period of two weeks from the date on which the order copy made ready;*

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

(d) the petitioners shall not tamper with evidence or



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witness either during investigation or trial;

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

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

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

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