



Crl.O.P.No.15945 of 2024

Crl.O.P.No.15945 of 2024

WEB COPY

T.V.THAMILSELVI,J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 341, 294(b), 323, 324 and 506(ii) of IPC in Crime No.166 of 2024, seek anticipatory bail.

2. Learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and due to previous enmity, have been falsely implicated and they have not committed any offence as alleged by the prosecution. He further submitted that the petitioners are ready to abide by any conditions that may be imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioners.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that due to previous enmity, the petitioners along with other persons formed an unlawful assembly, for which, they abused the defacto complainant in filthy language and also threatened him with dire



CrI.O.P.No.15945 of 2024

consequences and also assaulted him. He further submitted that the petitioners have no previous case pending against them. However, he vehemently opposed for the grant of anticipatory bail to the petitioners.

4. Taking into consideration the facts and the submissions made by the learned counsel on either side, 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 (15) days from the date of receipt of a copy of this order before the *learned District Munsif cum Judicial Magistrate Court, Thirukalukundram*, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) each, 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 and on further condition that:

(a) the petitioners shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) jointly, to the credit of Crime No.166 of 2024 before the concerned



Crl.O.P.No.15945 of 2024

WEB COPY

Magistrate within a period of two weeks from the date of receipt of a copy of this order and on such deposit, the de-facto complainant is permitted to withdraw the same, on filing undertaking affidavit and proper identification and acknowledgment."

(b) 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;

(c) the petitioners shall report before the respondent police on every Wednesday at 10.30 a.m., for a period of eight weeks;

[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 petitioner in accordance with law as if the conditions has been imposed and the petitioner is 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]*; and;

T.V.THAMILSELVI, J.



WEB COPY



Crl.O.P.No.15945 of 2024

drl

[g] if the accused thereafter absconds, a fresh FIR
can be registered under Section 229-A IPC;

09.07.2024

drl

Crl.O.P.No.15945 of 2024