



Crl.OP.No.19104 of 2024

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P.DHANABAL, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 143, 294(b), 323 and 506(i) of IPC in Crime No.116 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant and the petitioners had a wordy quarrel between them due to which the petitioners assaulted the defacto complainant with their hands. Hence, the complaint.

3. The learned counsel for the petitioners would contend that the petitioners are innocent and have no role in the commission of the offence. He has submitted that a false case has been foisted against them due to some previous enmity. Hence they seek anticipatory bail.

4. The learned Government Advocate (Crl.Side) would submit that the petitioners abused and assaulted the defacto complainant due to which the defacto complainant sustained injuries. He further submitted that the injured got discharged from the hospital and there is no previous case pending against the petitioners. However, he vehemently opposed to grant anticipatory bail to the petitioners.



Crl.OP.No.19104 of 2024

5. Considering the rival submissions on either side and considering the fact that the injured has been discharged from the hospital and also considering the fact that except 506(ii) of IPC other offences are bailable in nature, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the learned *Judicial Magistrate, Vaniyampadi, Thirupathur 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 learned Magistrate concerned, and on further condition that:

[a] the petitioners shall report before the respondent police on every Saturday at 10.30 a.m., for a period of four weeks and thereafter, as and when required for the interrogation.

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

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

[d] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take



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Crl.OP.No.19104 of 2024

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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 of BNS.

08.08.2024

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