



Crl.O.P.No.25704 of 2024

Crl.O.P.No.25704 of 2024

WEB C **P.DHANABAL, J.**

The petitioners apprehend arrest for the alleged offences under Sections 296(b), 115(2), 118(1), 351(3) of BNS in Crime No.422 of 2024, on the file of the respondent police seek anticipatory bail.

2. The case of the prosecution is that during the temple festival, the petitioners abused the defacto complainant in a filthy language and assaulted him with stone and kicked him with his leg. Hence the complaint.

3. The learned counsel appearing for the petitioners submits that the petitioners are innocent person and they have not committed any such offence as alleged by the prosecution. The petitioners have been falsely implicated in this case and co-accused have been released on bail. However, on instructions, the learned counsel further submits that the petitioners are ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant anticipatory bail to the petitioners.



Crl.O.P.No.25704 of 2024

4. The learned Government Advocate (Criminal Side) appearing

for the respondent police submitted that during the temple festival, the petitioners abused the defacto complainant in a filthy language and assaulted him with stone and kicked him with their legs. He further submitted that there is no previous case against petitioners 2 and 3 and there are four previous cases against the 1st petitioner. He also submitted that the injured has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the representations made by both sides and the nature of offences charged against the petitioners and there is no previous case against the petitioners 2 and 3 and though there are 4 previous cases against the 1st petitioner, those cases are not similar kind of offences and in all those cases, he was released on bail and the injured has been discharged from the hospital, this Court is inclined to grant **anticipatory bail** to the petitioners with certain conditions.

6. 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



CrI.O.P.No.25704 of 2024

learned Judicial Magistrate No.I, Krishnagiri on condition that each of 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 or 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 4 weeks;**

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts of the Court or to any police officer.

[c] the petitioners shall not leave India without the previous permission of the Court.

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

[e] the petitioners shall make himself/herself available for interrogation by a police officer as and when required.

[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 Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala***



CrI.O.P.No.25704 of 2024

[(2005)AIR SCW 5560].

WEB COPY

[g] If the petitioners thereafter absconds, a fresh FIR
can be registered under Section 269 B.N.S.

vkrr

19.10.2024

P.DHANABAL, J.



WEB COPY



Crl.O.P.No.25704 of 2024

vkr

Crl.O.P.No.25704 of 2024

19.10.2024