



CrI.O.P.No.26163of 2024

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P.DHANABAL,J.

The petitioners/A1 and A2, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Section 109(1) of BNS,2023 in Crime No.751 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is the resident of Appanaickenpatti. In the night of 11.10.2024, the defacto complainant went to Perumal Kovil in Kalangal to see the dance programme and he has started to watch dance programme along with his friend Indrajith and his brother Manoj kumar, Then, the complainant's friend Indrajith also started dancing in the crowd and in that course, he had hit the petitioners who were bystanders. In such circumstances, the petitioners questioned about the act of the said Indrajith and there was a quarrel between the defacto complainant and the petitioners, due to which, the petitioners have stabbed the defacto complainant and caused injuries. Hence, the case.

3. The learned counsel appearing for the petitioners submits that the



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petitioners are innocent persons and they have not committed any such offence as alleged by the prosecution. He further submits that they are ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that during temple festival, the petitioners under the influence of alcohol, abused and stabbed the defacto complainant with knife and caused injuries to him. He admits that the injured had discharged from the hospital. He further submits that there is no previous cases against the petitioners. However, he vehemently opposed for the grant of anticipatory bail to the petitioners.

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

6. Considering the nature of offence, there was a dispute between the parties regarding performance of dance, there are no previous cases against the petitioners and also the fact that the injured had already been discharged and considering all other aspects, this Court is inclined to grant anticipatory



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bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered 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, Sulur** on condition that each of the petitioners shall execute separate bonds 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 everyday at 10.30 a.m.,until further orders.

[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 appropriate action against the



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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 B.N.S.

30.10.2024

Vv

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