

Crl.O.P.No.27873 of 2024**A.D.JAGADISH CHANDIRA, J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 191(2), 191(3), 296(b), 115(2), 118(1) and 351(3) of Bharatiya Nyaya Sanhita, 2023, in Crime No.475 of 2024 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was a previous enmity between the petitioners and the de-facto complainant, regarding the election dispute. On 24.10.2024 at about 06.30p.m.,the de-facto complainant scolded his son for being absent from work. On hearing his words, petitioners and his family members went there and raised questions against him, claiming had that he had scolded them indirectly which led to a wordy altercation. Further, the 1st petitioner attacked the de-facto complainant with iron rod on his left hand A4 kicked on de-facto complainant's hip and other accused persons attacked the de-facto complainant with hands and brooms and all of them jointly threatened the de-facto complainant by showing deadly weapons. Hence, the case.

3. The learned Counsel for the petitioners would submit that the petitioners are innocent and have been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) for the respondent while opposing for granting of anticipatory bail to the



petitioners would submit that there was a wordy quarrel between the petitioners and the de-facto complainant due to which the petitioners and other accused attacked him. He would further submit that the injured had been discharged from the hospital.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side and the injured had been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

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 No.III, Vellore** on condition that the petitioners shall execute a separate 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners are stayed at Perambalur and shall report before the Perambalur Police Station, on everyday at 10.30 a.m., until further orders;

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

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

[e] 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 [(2005)AIR SCW 5560]**.

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

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