



Crl.O.P.No.27507 of 2023

WEB COPY

Crl.O.P.No.27507 of 2023

C.V.KARTHIKEYAN, J.

The petitioners/A1,A3 to A7 seek anticipatory bail in Crime No.946 of 2023 registered by the respondent Police for the offences punishable under Sections 147, 148, 294(b), 323, 324, 506(ii) and 307 of IPC.

2. It is stated that the petitioners herein had also given a counter complaint against the defacto complainant and that had been registered FIR in Cr.No.947 of 2023. In that particular case, anticipatory bail had been granted by the Sessions Judge.

3. The learned counsel for the intervenor/defacto complainant stated that there are four injured and one of them had suffered hearing loss.

4. It is also stated that there is apprehension of evidence being destroyed. But the injured had actually been discharged from hospital. It is now for the prosecution to establish the allegations beyond all reasonable



Crl.O.P.No.27507 of 2023

doubt and the defacto complainant will have to tender evidence to assist the prosecution, so that the charges are held prove.

5. Taking over all view of the entire matter, this Court is inclined to grant anticipatory bail to the petitioners 2 to 6 alone with certain conditions. As far as the 1st petitioner is concerned, since the 1st petitioner was arrested the anticipatory bail sought by him stands dismissed.

6. Accordingly, the petitioners 2 to 6 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 **District Munsif cum Judicial Magistrate, Tiruvennainallur**, on condition that the petitioners shall execute separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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:



Crl.O.P.No.27507 of 2023

WEB COPY

[a] the petitioners 2 to 6 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 2nd and 3rd petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders and 4, 5 and 6th petitioners shall report before the respondent police once in a week i.e., on every Saturday at 10.30 a.m., for a period of two weeks and thereafter, as and when required for interrogation.

[c] the petitioners 2 to 6 shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 2 to 6 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



Crl.O.P.No.27507 of 2023

WEB COPY

Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala**
[(2005)AIR SCW 5560].

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

08.01.2024

rjr



WEB COPY



Crl.O.P.No.27507 of 2023

C.V.KARTHIKEYAN, J.

rjr

Crl.O.P.No.27507 of 2023

08.01.2024