



Crl.O.P.No.29411 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioners/Accused No.1 to 3, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 126(2), 115(2) and 118(1) of BNS, 2023 in Crime No.227 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to a civil dispute, the petitioners had abused the defacto complainant in filthy language and assaulted him with stone and thereby, caused injuries. Hence the complaint.

3. Learned counsel appearing for petitioners would submit that petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He would further submit that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) appearing for the



respondent police, while opposing for the grant of anticipatory bail to the petitioners, would submit that the injured has been discharged from the hospital after two days and there are no previous cases pending as against the petitioners.

5. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the fact that, the injured has been discharged from the hospital and no previous cases pending as against the petitioners, this Court is inclined to grant anticipatory 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, Namakkal** 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:

[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 shall report before the respondent police everyday at 6.30 p.m. for a period of two weeks. Thereafter, the 1st petitioner shall report before the respondent police as and when required for interrogation and the 2nd and 3rd petitioners shall report before the respondent police on every Saturday at 6.30 p.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



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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 B.N.S.

25.11.2024

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