



Crl.O.P.No.29861 of 2024

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SUNDER MOHAN, J.

The petitioners/Accused Nos.1, 3 & 4, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 296(b), 118(1), 115(2) and 351(3) of BNS, 2023 in Crime No.1126 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant and pursuant to which, the petitioners are said to have abused the defacto complainant and attacked him with wooden log and thereby, caused injuries. Hence, the case.

3. Learned counsel for the petitioners would submit that the petitioners are innocent persons and a false case has been foisted against them. He would further submit that the injured person has been discharged from hospital and the petitioners are ready to abide by any



Crl.O.P.No.29861 of 2024

stringent conditions that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl. Side) for the respondent Police, on instructions, would submit that the injured person has been discharged from hospital and there are no previous cases pending as against the petitioners. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Taking into consideration of the nature of allegations against the petitioners and also taking note of the fact that no previous case is pending as against the petitioners, custodial interrogation of the petitioners is not required, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.



CrI.O.P.No.29861 of 2024

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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, Ambur** on condition that the petitioner 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 10.30 a.m., until further orders;

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



Crl.O.P.No.29861 of 2024

SUNDER MOHAN, J.

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[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 B.N.S.

29.11.2024

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Crl.O.P.No.29861 of 2024