



Crl.O.P.No.29820 of 2024

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WEB COPY A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.261 of 2024 registered for the offences punishable under Sections 296(b), 115(2), 118(1), 351(3) of BNS Act, the present petition has been filed seeking anticipatory bail.

2.Pleading innocence on the part of the petitioners, false implication in the case, learned counsel for the petitioners seeks indulgence of this Court. He further submits that the petitioners are ready to abide by any stringent condition that may be imposed by this Court.

3.The case of the prosecution as putforth by the learned Government Advocate (Crl. Side) appearing for the respondent Police, opposing for grant of anticipatory bail, due to previous enmity, petitioners abused the defacto complainant in filthy language and the first petitioner attacked the defacto complainant with reaper, due to which, he sustained grievous injuries, admitted in the hospital and discharged after seven days.



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4. Considering the specific overt against the petitioner that she had attacked the defacto complainant with reaper, **this Court is not inclined to grant anticipatory bail to the 1st petitioner.**

5. Having heard the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) for the respondent Police and perused the materials available on record, **this Court is inclined to grant anticipatory bail to the 2nd & 3rd petitioners** with certain conditions and accordingly, the 2nd & 3rd petitioners are ordered to be released on bail in the event of arrest or on his appearance within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Vaniyambadi** on condition that the 2nd & 3rd petitioners shall execute a 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 said Magistrate, on further condition that:



[a] if the 2nd & 3rd petitioners fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the 2nd & 3rd petitioners shall report before the respondent Police everyday at 06.30 p.m., for a period of two weeks and thereafter on every Saturday at 10.30.a.m., until further orders

[c] the 2nd & 3rd petitioners shall not tamper with evidence or witness either during investigation or trial;

[d] the 2nd & 3rd 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 2nd & 3rd petitioners in accordance with law as if the conditions have been imposed and the 2nd & 3rd 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 absconds, a fresh FIR can be registered under Section 269 of BNS.

6. Accordingly, this Criminal Original Petition is dismissed in respect of 1st petitioner and in respect of 2nd & 3rd petitioners, this Criminal Original Petition is ordered.



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