

CRL.O.P.No.11709 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 341, 324 and 506(ii) IPC in Crime No.503 of 2016 on the file of the respondent police, the petitioners have come forward with this petition seeking anticipatory bail.

2. Heard both sides.

3. Defacto complainant and petitioners are neighbours and both of them are belonging to the same political party. The case of the prosecution is that due to political rivalry between both parties, the petitioners are alleged to have indulged in a wordy altercation with the defacto complainant and also attacked him with knife.

4. Learned counsel for the petitioners submitted that the petitioners are innocent and they have been falsely implicated in this case.

5. Learned Government Advocate (Crl. Side) would submit that the injured has been discharged from the hospital. He would further submit that the 2nd petitioner is not an accused in this case.

6. In view of the submission made by the learned Government Advocate (crl.side) that the 2nd petitioner is not an accused, this petition in respect of the 2nd petitioner is dismissed as infructuous. Considering the facts and circumstances of the case and also taking note of the fact that the injured has been discharged from the hospital, I am inclined to grant anticipatory bail to the 1st petitioner. Accordingly, the 1st petitioner is ordered to be released on bail in the event of his arrest or appearance,

S. VAIDHYANATHAN, J.

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within a period of fifteen days from the date of receipt of a copy of this order, before the learned V Metropolitan Magistrate, Egmore, on his executing 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 learned Magistrate concerned and on further condition that:

[a] the 1st petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[b] the 1st petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the 1st petitioner shall not abscond either during investigation or trial.

[d] on breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the 1st petitioner in accordance with law as if the conditions have been imposed and the 1st petitioner 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]**.

13.6.2016

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