

CRL.O.P.No.12562 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(B), 323, 324, 506(ii) read with 34 of IPC in Crime No.27 of 2016 on the file of the respondent police, the petitioner has come forward with this petition seeking anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police.

3. The case of the prosecution is that due to wordy quarrel, the petitioner attacked the de-facto complainant.

4. It is the case of the petitioner that he is innocent and has been falsely implicated in this case and he has nothing to do with the alleged offence. He further submitted that the petitioner is willing to abide by any condition imposed by this Court.

5. The learned Government Advocate (Crl. Side) on instructions submitted that the injured has been discharged from the hospital.

6. Considering the facts and circumstances of the case and taking note of the fact that the injured has been discharged from the hospital, I am inclined to grant anticipatory bail to the petitioner with the following conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of his arrest or appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Judicial Magistrate II, Karaikaal subject to the following conditions:

(i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, out of which, one shall be a Government Surety and the other shall be a blood related surety, 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 Magistrate concerned;

(ii) the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required;

(iii) the petitioner shall not tamper with evidence or witness either during investigation or trial;

(iv) the petitioner shall not abscond either during investigation or trial.

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

22.06.2016

S. VAIDYANATHAN, J.

vsg

CRL.O.P.NO.12562 of 2016

29.06.2016