

CRL.O.P.No.13814 of 2016

S.VAIDYANATHAN,J.

Apprehending arrest at the hands of the respondent police for the alleged offences punishable under Sections 294(b), 323 and 506(i) I.P.C. in Crime No.243 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 on either side.

3. The case of the prosecution is that due to previous enmity, the petitioner assaulted the defacto complainant and in that regard, a complaint has been lodged against the petitioner.

4. Learned counsel for the petitioner submitted that on 19.06.2016, the defacto complainant and others assaulted the petitioner, for which a complaint was given by the petitioner to the respondent police and a case was registered in Crime No.242/2016 under Sections 294(b), 323 and 506(i) I.P.C. and that the present complaint against the petitioner is malafide.

5. Learned Government Advocate (Crl. Side) submitted that this is a counter case and that the injured has been treated as out-patient. He also submitted that the petitioner has no previous case against him.

6. Taking note of the facts and circumstances of the case, as the injured has been treated as out-patient and as the petitioner has no bad antecedents, I am inclined to grant anticipatory bail to the petitioner. 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 learned **Judicial Magistrate, Ranipet**, 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 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;

(ii) the 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;

(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]**.

01.07.2016

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