

CRL.O.P.No.14515 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(ii) IPC in Crime No.361 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 civil dispute, a wordy quarrel arose between the petitioner and the defacto complainant, the petitioner is alleged to have abused and attacked the defacto complainant with wooden log and caused injury.

4.Learned Counsel for the petitioner submitted that the petitioner is innocent and he has not committed any such offence and he has been falsely implicated in this case.

5.Learned Government Advocate (Crl. Side) on instructions submitted that victim has been discharged from the hospital.

6.Considering the facts and circumstances of the case and also taking note of the fact that the victim has been discharged from the hospital, **this Court is inclined to grant anticipatory bail to the petitioner.**

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7. Accordingly, the petitioner is ordered to be released on anticipatory 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 I, Thiruvarur, subject to the following conditions:**

(i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each 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 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]**.

19.07.2016

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