

Crl.O.P.No.3635 of 2020

V. BHARATHIDASAN,J.

The petitioner, who apprehends arrest for the alleged offences under Sections 294(b), 324 of I.P.C and altered into 294(b), 324 and 326 of I.P.C in Crime No.151 of 2020, on the file of the respondent Police, seeks anticipatory bail.

2. Totally there are three accused in this case and the petitioner is ranked as A3. The allegation is that due to previous enmity the petitioner along with other accused abused the defacto complainant with filthy language and attacked him with wooden logs and caused damages to him. Hence, the complaint.

3. Heard the learned counsel appearing for the petitioner.

4. The learned Additional Public prosecutor would submit that the petitioner along with other accused abused the defacto complainant with filthy language and attacked him with wooden logs. He would further submit that the injured discharged from the hospital and the co-accused was arrested and enlarged on bail. However he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and the fact that the injured discharged from the hospital and the co-accused was

arrested and enlarged on bail, this court is inclined to grant anticipatory bail to the petitioner with stringent conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Ambattur on condition that 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, failing which this petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner and the sureties shall affix his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent Police as and when required for interrogation.

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

[d] the petitioner 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 petitioner in accordance with law as if the conditions have been imposed and the 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]**.

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

With the above directions this criminal original petition is ordered.

01.03.2021

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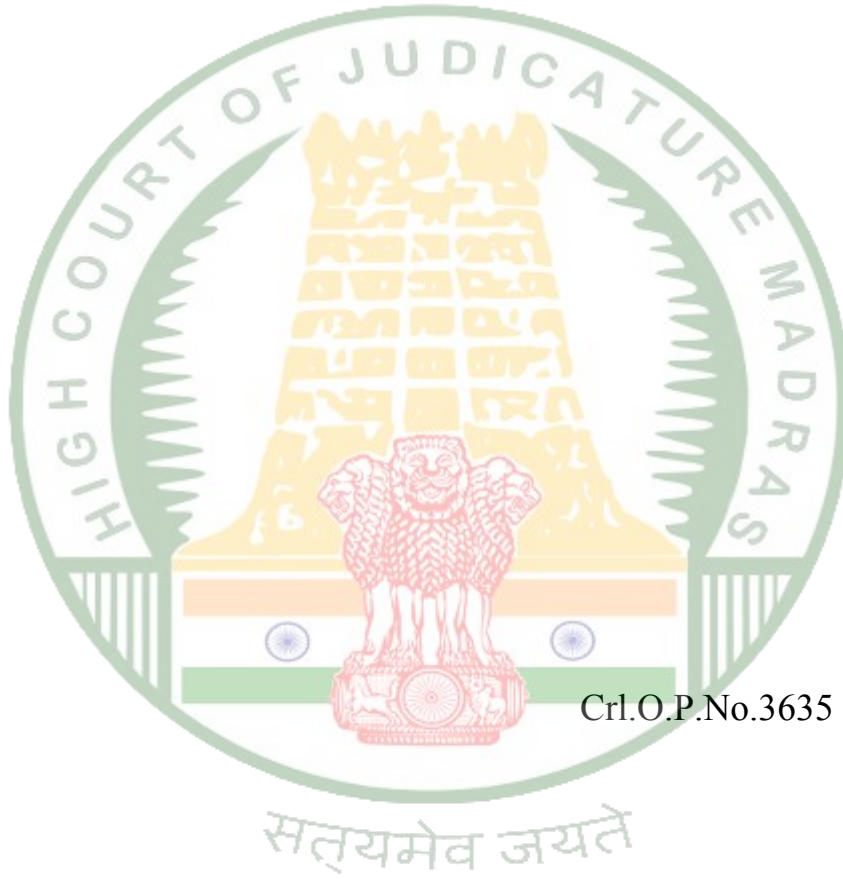
To

1. The Judicial Magistrate, Ambattur
2. The Inspector of Police, T-8, Muthapudupet Police Station, Chennai (Crime No.151 of 2020)
3. The Public Prosecutor,
High Court of Madras, Chennai.

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