



Crl.O.P.No.10492 of 2022

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G.CHANDRASEKHARAN,J.

The petitioner, who apprehends arrest for the alleged offences **under sections 294 (b), 323, 324 & 506 (ii) of I.P.C** in Crime No.Not known of 2022, on the file of the respondent police, seeks anticipatory bail.

2.It is seen from the submission made by the learned counsel for the petitioner that when the petitioner visited the defacto complainant's hotel for having food, spoiled food was supplied. When it was questioned, petitioner was attacked. He was admitted in the hospital. The complaint given by the petitioner was not received by the respondent. Moreover, the respondent police is harassing the petitioner on the basis of complaint given by the defacto complainant.

3.Learned Government Advocate opposed this petition on the ground that till now no first information report was registered.



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4.Considering the factual situation projected by the parties, the genuine apprehension raised by the learned counsel for the petitioner though first information report is not registered, this Court is inclined to grant anticipatory bail to the petitioner.

5.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the Learned **Judicial Magistrate Court, Sulur**, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 petitioner and the sureties shall affix his photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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

(c)the petitioner shall report before the respondent police daily at 10.30 a.m. until further orders;

(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 has 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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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