



Crl.O.P.No.10581 of 2022

G.CHANDRASEKHARAN, J.

The petitioner, who apprehends arrest for the alleged offence **under Sections 147, 148, 341, 294(b), 323, 324, 395, 397 and 506(2) IPC** in Crime No.336 of 2022, on the file of the respondent police, seeks anticipatory bail.

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

3. The case of the prosecution is that on 28.04.2022 the defacto complainant went to attend the death ceremony of his relative one Subramani and the accused were playing drums and creating scene over there. The defacto complainant stopped the accused from playing drums, due to which a quarrel arose and the petitioner along with other accused attacked the defacto complainant and caused injuries. Further the accused persons have also taken Rs.650/- from the pocket of the defacto complainant. Hence, the complaint.



4. The learned counsel for the petitioner submits that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he pleads for grant of anticipatory bail to the petitioner.

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

6. Considering the facts and circumstances of the case and in view of the fact that the injured has been discharged from the hospital, this Court is of the view that the custodial interrogation of the petition is not necessary and this Court is inclined to grant anticipatory bail to the petitioner.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of seven days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, Ambattur**, 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 their 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;

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

(c)the petitioner shall report before the Investigating Officer 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;



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dsa/anu

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

05.05.2022

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