



Crl.O.P.No.10639 of 2022

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G.CHANDRASEKHARAN, J.

The petitioner, who apprehends arrest for the alleged offences **under Section 341, 294 (b), 326, 506 (ii) I.P.C. r/w. 4 of TNPHW Act** in Crime No.211 of 2022, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 14.04.2022, at about 8.00p.m. the accused and his friends wrongfully restrained, scolded in obscene language, hit defacto complainant and his wife with an iron rod and issued life threats causing criminal intimidation and harassed a female.

3.It is seen from the submission of learned counsel appearing for parties that A1 and A2 in this case had attacked defacto complainant and his wife. In fact, defacto complainant's wife was attacked with iron rod and suffered head injuries. However, it is submitted that petitioner had not indulged in physical attack on either the defacto complainant or his wife.



4.It is further submitted that the person who attacked the defacto complainant and his wife, namely the first and second accused were arrested and released on bail.

5. Considering the fact that, petitioner had not attacked the defacto complainant and his wife and it is submitted that he was not even present at the spot, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their 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 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 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;

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

05.05.2022

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