



Crl.O.P.No.15759 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 324, 353 of IPC and Section 3 of Public Property Damage and Loss Act, 1992, in Crime No.115 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant was the driver of the bus and when he proceed to reach Govindhareddipalayam Village, at that time, the petitioner consuming alcohol has damaged the bus mirror with hand and threatened with unparliamentary words. Thereafter, the defacto complainant was admitted in the hospital. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner belongs to Erular community and he questioned about the non-stoppage of bus, a false complaint has been lodged against the



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petitioner. He further submit that the petitioner is ready to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of crime No.115 of 2022. Therefore, he prays for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner assaulted the defacto complainant with and further he damaged the bus mirror and also the windpipe. He further submits that the injured has been discharged from the hospital on 05.06.2022 and hence, opposed for grant of anticipatory bail to the petitioner.

5. Taking note of the facts and circumstances and the submissions made by both counsel, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.115



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of 2022, within a period of four weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned Judicial Magistrate No.I, Vellore District, 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, the petition for anticipatory bail shall stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall deposit a sum of Rs.15,000/- (Rupees Fifteen Thousand only) to the credit of Crime No.115 of 2022, before the concerned Magistrate, within a period of four weeks from the date on which the order copy made ready.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall appear before the respondent police daily at 10.30 a.m., for a period of four weeks and thereafter as and when required



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for interrogation.

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

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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]**.

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

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