



CrI.O.P.No.15726 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 294(b), 323 and 506(i) of IPC in Crime No. 125 of 2022, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that when the defacto complainant was travelling in the Government Bus Route No.558, from Senkundram to Pazhaverkade, since there was heavy crowd many college students and other passengers were travelling in foot board, on seeing this, the driver of the bus closed the automatic doors of the bus and when the same was questioned by the defacto complainant, the driver abused him in filthy language and attacked him with hands. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is innocent person and he has not committed any offence as alleged by the prosecution. He further submits that the defacto complainant attacked the petitioner and he sustained bleeding injury in his mouth. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Additional Public Prosecutor would submit that the injured has been treated as out-patient. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and also considering that the injured has been treated as out-patient, this Court is inclined to grant anticipatory bail to the petitioner with certain 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, Gummidipoondi, 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



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copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter 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.

07.07.2022

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