



Crl.O.P.No.16224 of 2022

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G.K.ILANTHIRAIYAN, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323, 324 and 506(ii) of IPC subsequently alter into 307 IPC in Crime No.283 of 2022, seek anticipatory bail.

2. The case of the prosecution is that on 30.05.2022, there was a wordy quarrel between the petitioners and the defacto complainant and it is alleged that the petitioners attacked the defacto complainant with knife and deadly weapons and threatened him with dire consequences and he sustained injuries. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they are no way connected with the offence. He further submitted that the petitioners are not at all present at the time of occurrence. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.



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4. The learned Additional Public Prosecutor submitted that the petitioners attacked the defacto complainant with deadly weapons and caused injuries. He further submitted that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances and also considering the fact that the victim discharged from the hospital, this Court is inclined to grant anticipatory bail to the first petitioner alone with certain conditions.

6. Accordingly, as far as the second petitioner is concerned, he seeks permission of this Court to withdraw the petition and he has made endorsement in the Court bundle to that effect, the anticipatory bail for the second petitioner is dismissed as withdrawn and as far as the first petitioner is concerned, he is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen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



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on which the order copy made ready, before the learned Judicial Magistrate No.I, Tambaram, on condition that the first 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 first 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 first petitioner shall report before the respondent police daily Morning at 10.30 a.m and Evening 5.30 p.m for a period of four weeks and thereafter as and when required for interrogation.

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

[d] the first 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 first petitioner in accordance with law as if the conditions have been



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imposed and the first 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.

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