



CrI.O.P.No.17962 of 2022

CrI.O.P.No.17962 of 2022

WEB COPY

G.K.ILANTHIRAIYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 341, 294(b), 323, 324 and 506(i) of IPC in Crime No. 674 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is working in Anna Infra Developers Limited as Site Engineer and he was deputed to carry out the work in rain water drainage in Collector Nagar, Puzhal, Chennai and on 24.07.2022 at about 10.00 a.m., when the defacto complainant and others were working in the 3rd Street at Brittania Nagar, the petitioner is alleged to have come there and abused him for excavating sand and while he was talking suddenly the petitioner assaulted the defacto complainant, caused injuries and threatened him with dire consequences. Hence, the complaint.



Crl.O.P.No.17962 of 2022

WEB COPY

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that the petitioner attacked the defacto complainant and caused injuries. He would further submit that the injured has been discharged from the hospital on 25.07.2022. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case and also considering the fact that the victim discharged from the hospital on 25.07.2022, 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



Crl.O.P.No.17962 of 2022

from the date on which the order copy is made ready, before the learned District Munsif-cum-Judicial Magistrate, Madhavaram, 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 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



Crl.O.P.No.17962 of 2022

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.

05.08.2022

Lpp

G.K.ILANTHIRAIYAN, J.

Lpp



WEB COPY



CrI.O.P.No.17962 of 2022

CrI.O.P.No. 17962 of 2022

05.08.2022