



Crl.O.P.No.17978 of 2022

Crl.O.P.No.17978 of 2022

WEB COPY

G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b) and 307 IPC in Crime No.139 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that there was a enmity between the petitioner and the defacto complainant and it is alleged that the petitioner and along with other accused assaulted the defacto complainant with knife due to which, he sustained injury. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not involved in the said offence. He further submitted that the petitioner is falsely implicated in this case. 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 with knife and caused injuries. He would further submit that the injured has been discharged



Crl.O.P.No.17978 of 2022

from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above facts and circumstances of the case and also considering the fact that the victim discharged from the hospital, 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-V, Coimbatore, 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



Crl.O.P.No.17978 of 2022

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 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.

02.08.2022

ata



WEB COPY



Crl.O.P.No.17978 of 2022

G.K.ILANTHIRAIYAN, J.
ata

Crl.O.P.No.17978 of 2022

02.08.2022