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Crl.O.P.No.19479 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), 323 and 307 of IPC in Crime No.146 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 09.07.2022 at about 23.00 hours, the defacto complainant was going with his dog, one Babu with whom the petitioner had previous enmity complained about the said Babu to his wife who was sitting on the street. It is further alleged that the defacto complainant complained that the said Babu had requested the defacto complainant's brother to send sex videos. When the petitioner complained to the said Babu's wife, the said Babu along with the petitioner in order to take revenge abused and attacked the defacto complainant and caused injuries to his head. Hence, the complaint.



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

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the petitioner along with one Babu attacked the defacto complainant with knife and sustained injuries. He would further submit that the petitioner's earlier anticipatory bail was dismissed by this Court vide order dated 27.07.2022 in Crl.OP.No.17556 of 2022. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the above fact and circumstances of the case and also considering 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 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*



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Judicial Magistrate-I, Alandur on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two blood 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 twice at 10.30 a.m and 5.30 p.m for a period of four 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.



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[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.

17.08.2022

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Vv

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