



Crl.O.P.No.19743 of 2022

Crl.O.P.No.19743 of 2022

WEB COPY

G.K.ILANTHIRAIYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294(b), 324 and 307 of IPC, in Crime No.337 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioner along with other accused had assaulted the defacto complainant with knife, as a result of which, the defacto complainant sustained injuries. Hence, the complaint.

3. The learned counsel for the petitioner would submit that this a second anticipatory bail petition. The earlier petition filed by the petitioner was dismissed, by an order dated 29.07.2022 in Crl.O.P.No.17822 of 2022. He would further submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that



Crl.O.P.No.19743 of 2022

the petitioner and other accused assaulted the defacto complainant with knife, as a result of which, the defacto complainant sustained injuries. He would further submit that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the above fact and circumstances of the case, 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 District Munsif cum Judicial Magistrate Court, Madhavaram, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with **two blood related 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



Crl.O.P.No.19743 of 2022

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 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.

[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.

23.08.2022

mn

G.K.ILANTHIRAIYAN, J.



WEB COPY



Crl.O.P.No.19743 of 2022

mn

Crl.O.P.No.19743 of 2022

23.08.2022