



Crl.O.P.No.19613 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 147, 148, 294(b), 448, 324, 307 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in Crime No.341 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity between the petitioner and the defacto complainant regarding rash and negligent driving by the first accused, the petitioner along with another abused the defacto complainant's daughter and his family members in filthy language. When the same was questioned by the defacto complainant, there quarrel arose among them, due to which, the petitioner and along with others assaulted the defacto complainant and his mother with deadly weapons and caused injuries to them. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the



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petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He would further submit that A1 and A2 were arrested and enlarged on bail. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner attacked the defacto complainant and caused injuries. He would further submit that this court dismissed the petitioner's earlier anticipatory bail petition vide order dated 04.08.2022 in Crl.OP.No.18044 of 2022 on the ground that the injured is still taking treatment in the hospital and he also submits that now, the injured has been discharged from the hospital on 14.08.2022. 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, 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



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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, Tittagudi*** 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



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[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.

22.08.2022

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