



Crl.O.P.No.21135 of 2022

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A.D.JAGADISH CHANDIRA,J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC, in Crime No.119 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to civil dispute, there was a quarrel and during the quarrel, the accused had assaulted the defacto complainant with knife on the head and due to which, he had sustained injuries on the head as well as on the right hand. Hence, the complaint.

3. The learned counsel for the petitioner would submit the petitioner and the defacto complainant are relatives and neighbours and due to civil dispute, there was a scuffle, in which, the defacto complainant sustained minor injuries, where as exaggerated complaint has been given. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) would submit that, due to civil dispute, there was a quarrel between the petitioner and the defacto complainant and the petitioner has also assaulted the defacto complainant with knife, resulting him in sustaining injuries. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and learned Government Advocate (Crl. Side) and perused the CD file including the Accident Register.

6. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. 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, No.1, Mettur** on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction



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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 stay at Villupuram and report before the Villupuram Town Police Station daily at 10.30 a.m. until further orders and the petitioner shall not enter into the jurisdiction village.

[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]**.

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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

05.09.2022

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