



Crl.O.P.No.21297 of 2022

Crl.O.P.No.21297 of 2022

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), 323, 324, 506 Part II IPC, in Crime No. 450 of 2022, seek anticipatory bail.

2. The case of the prosecution is that the petitioner had driven the vehicle in a rash and negligent manner and it was questioned by the defacto complainant, there was a wordy quarrel due to which, the petitioner and other accused had assaulted the defacto complainant with wooden rod, resulting him in sustaining injuries. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case. He would further submit that when the defacto complainant attempted to assault the petitioner, he also sustained injuries. Hence, he prays to grant anticipatory bail to the petitioner.



Crl.O.P.No.21297 of 2022

4. The learned Government Advocate (Crl.Side) would submit that there is no previous case pending against the petitioner and further submitted that the injured also discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the fact that there is no previous case against the petitioner and the injured has also been 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-I, Madurantakam** 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 of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the



Crl.O.P.No.21297 of 2022

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. until further orders.

[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.

05.09.2022

Sma/Shk



WEB COPY



Crl.O.P.No.21297 of 2022

A.D.JAGADISH CHANDIRA,J.

Sma/Shk

Crl.O.P.No.21297 of 2022

05.09.2022