



Crl.O.P.No.21915 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, 324, 307, 506 (ii) of IPC in Crime No.516 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint before the respondent police alleging that on 31.07.2022, the defacto complainant received the phone call from his wife stating that his brother Raji @ Samson was attacked by the gang due to which, the victim sustained greivous injuries on the hand and other parts of the body. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that the injured has been discharged from the hospital. Therefore, he prays to grant



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anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner attacked the defacto complainant's brother on his head and other parts of the body due to which he sustained grievous injuries. Hence, 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 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 Metropolitan Magistrate Court, No-XXIII Saidapet on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten



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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, filing 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 Morning at 10.30 a.m. and Evening at 5.30 p.m for a period of six 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.**



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State of Kerala [(2005)AIR SCW 5560].

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

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