



Crl.O.P.No.22312 of 2022

Crl.O.P.No.22312 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), 324 & 506(ii) of IPC in Crime No.498 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner had driven the vehicle in a rash and negligent manner, when the same was questioned by the defacto complainant, the petitioner had intimidated and assaulted the defacto complainant with car key. Further, the petitioner had abused the defacto complainant with filthy languages. Hence the complaint.

3. The learned counsel appearing 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 infact the defacto complainant in an inebriated condition, had driven the vehicle in a rash and negligent and when the same was questioned by the petitioner, the defacto complainant had assaulted the petitioner. In respect of the same, a case has been registered against the defacto complainant in Crime No.499 of 2022. Later,



Crl.O.P.No.22312 of 2022

as a counter blast, a false complaint has been foisted against the petitioner in Crime No.498 of 2022. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the respondent would submit that it is a case in counter. Due to road rage, the petitioner had assaulted the defacto complainant with car key. He would further submit that there is no previous case against the petitioner. However, he opposed for grant of bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel and also taking note of the fact that the petitioner has no previous case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



Crl.O.P.No.22312 of 2022

WEB COPY

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.I, Pollachi** 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 petition for anticipatory bail shall stand automatically 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 **every day at 10.30 a.m., for a period of four weeks and thereafter, every Saturday at 10.30 a.m., until further orders.**



CrI.O.P.No.22312 of 2022

A.D.JAGADISH CHANDIRA, J.

shk

[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 petitiones 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.

15.09.2022

shk

CrI.O.P.No.22312 of 2022