



Crl.O.P.No.23483 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 Section 147, 294(b), 323, 307 I.P.C. in Crime No.453 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner along with other accused during the temple festival attacked the defacto complainant with knife and had caused stab injury in the left chest and the hand of the defacto complainant and also caused cut injury in the left hand of one Dinesh, the friend of the defacto complainant. Hence the complaint.

3.Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He has nothing to do with the said occurrence, hence, he prays for grant of anticipatory bail to the petitioner.

4.Learned Government Advocate (Crl. Side) appearing for the



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respondent police would submit that the petitioner along with the other accused during the temple festival developed a quarrel and attacked the defacto complainant and his friend with knife, thereby causing stab injuries to the victims. He added that the victims have been discharged from the hospital.

5.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 victims have been discharged from the hospital, this Court is inclined to grant bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of his 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.V, Salem, 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



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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 every Saturday 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

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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 F.I.R can be registered under Section 229A IPC;

12.10.2022

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