



Crl.O.P.No.23892 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 448, 294(b), 324 and 506(ii) of IPC in Crime No.175 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to financial dispute, the petitioner along with other accused have assaulted the *de-facto* complainant with iron rod, resulting him in sustaining injuries. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the *de-facto* complainant had cheated the petitioner's friend one Ryon Jose and the petitioner on behalf of his friend had questioned the *de-facto* complainant and in order to evade the payment, he had given a false complaint against the present petitioner. He would further submit that the



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de-facto complainant and his friend have cheated the petitioner's friend to the tune of Rs.72 lakhs. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that due to financial dispute, the petitioner along with other accused have assaulted the *de-facto* complainant with iron rod, resulting him in sustaining injuries and he was treated as out-patient. He would further submit that the petitioner has got two previous cases of similar in nature and this Court had earlier dismissed the petitioner's anticipatory bail in Crl.O.P.No.21334 of 2022 vide Order dated 05.09.2022. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

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



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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 No.1, Ulundurpet at Kallakurichi District, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, one among the surety shall be either father or mother of the petitioner, 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 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 everyday at 10.30 a.m., until further orders.



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[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.

30.09.2022

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