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Crl.OP.No.24865 of 2022

Crl.O.P.No.24865 of 2022

**A.D.JAGADISH CHANDIRA, J.**

The petitioner, who apprehends arrest for the alleged offence under Sections 341, 294(b), 324, 506(ii) IPC in Crime No.360 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 05.05.2022, the petitioner along with other accused intentionally waylaid the defacto complainant and abused him in filthy language and also assaulted him with iron rod and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the co-accused were granted anticipatory bail by this Court in Crl.O.P.No.12764 of 2022, dated 27.05.2022. Hence, he prays to grant anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl. Side) would submit the injured has been treated as in-patient and discharged on the same day. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that the injured has been discharged from the hospital and that the co-accused were granted anticipatory bail by this Court, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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 Judicial Magistrate Court, Sriperambadur 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 dismissed and on further condition that:



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

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

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