



Crl.OP.No.25179 of 2022

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A.D.JAGADISH CHANDIRA, J.

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The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294 (b), 324 and 506(ii) of I.P.C in Crime No.198 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that due to previous enmity on account of civil dispute, the petitioner along with with other accused persons had assaulted the defacto complainant with deadly weapons resulting him in sustaining injuries . Hence, the complaint.

3. The learned counsel for the petitioner would submit that this is the second application for anticipatory bail. He would further submit that the petitioner is an innocent person and he is no way connected with the alleged offence and it is a case and case in counter. He would further submit that the earlier anticipatory bail in Crl.OP.No.23025 of 2022 was dismissed by this Court on 28.09.2022 on the ground that the arrested accused are still in custody and the injured is still in the hospital. He would further submit that now, the arrested accused are released on bail and injured also been discharged from the hospital. He would further submit that he would



reiterate that it is a case and case in counter. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that the petitioner's earlier anticipatory bail in Crl.OP.No.23025 of 2022 was dismissed by this Court on 28.09.2022 on the ground that the arrested accused are still in custody and that the injured is in the hospital. He would further submit that the arrested accused are released on bail and injured also been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and the submissions and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen days from the date on which the order copy made ready, before the *learned Judicial Magistrate -II, Mannargudi* 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:

[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 on every day at 10.30 a.m and 5.30 p.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 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.

18.10.2022

Vv



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