



Crl.O.P.No.24947 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 alleged offence punishable under Sections 294(b), 324, 307 and 506(2) of Indian Penal Code, 1860, in Crime No.241 of 2022, on the file of the respondent police, seeks bail.

2.The case of the prosecution as per the defacto complainant viz. Senthil Kumar is that, the accused in an inebriated condition abused the defacto complainant and also attacked him using iron rod, resulting in him sustaining injuries. Hence the complaint.

3.Learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution.

4.Learned Government Advocate (Crl.side) vehemently oppose,



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stating that the petitioner in an inebriated condition abused the defacto complainant and also attacked him with iron rod, resulting in him sustaining injuries. He added that the injured has been discharged from the hospital.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side). Perused the materials placed on record, including F.I.R.

6.Taking note of the facts and circumstances and the submissions of the learned counsel for the petitioner and also the fact that the victim has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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, Gummidipoondi, on condition that the petitioner shall execute a



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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 everyday 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



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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]; and;

[f] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

14.10.2022

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