



Crl.O.P.No.25827 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 506(i) of IPC in Crime No.418 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that due to money dispute, the petitioner assaulted the de facto complainant, due to which, the de facto complainant sustained injury. Hence the complaint.

3. The learned counsel for the petitioner submits that the petitioner is an innocent person and a false complaint has been foisted against him. He further submitted that the injured has also been discharged from the hospital. Hence he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) submits that the petitioner assaulted the de facto complainant, due to which, the



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de facto complainant sustained injury. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel on both sides and perused materials available on record.

6. Taking into consideration the submissions made on both sides, I am 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, Kangeyam, on condition that the each of the first 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



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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.

[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]**.



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nsa/arb

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

20.10.2022

nsa/arb

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