



Crl.O.P.No.26072 of 2022

Crl.O.P.No.26072 of 2022

WEB COPY

A.D.JAGADISH CHANDIRA,J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 448, 294(b), 324 and 506(ii) of Indian Penal Code in Crime No.142 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Amutha is that, during a quarrel, the petitioner along with other accused assaulted the defacto complainant using iron pipe and thereby the defacto complainant sustained grievous injuries. Hence, the complaint.

3. The learned counsel for the petitioner would submit that, petitioner is an innocent person and due to previous enmity, false complaint has been lodged by the defacto complainant. Hence, he seeks for grant of anticipatory bail to the petitioner.

4. The learned Additional Public Prosecutor would submit that



the injured victim has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and also considering that the injured victim 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate No.I, 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 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



CrI.O.P.No.26072 of 2022

a copy of their Aadhar card or Bank pass Book to ensure their identity.

WEB COPY

[b] the petitioner shall report before the respondent police daily 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]**.

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

17.11.2022

Sma

A.D.JAGADISH CHANDIRA,J.



WEB COPY



Crl.O.P.No.26072 of 2022

Sma

Crl.O.P.No.26072 of 2022

17.11.2022