



Crl.O.P.No.27304 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 offence punishable under Sections 294(b), 324 and 506(ii) of IPC in Crime No.530 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant and his friends were talking loudly in the restaurant and when it was questioned by the accused, it lead to a quarrel, in which, the accused had abused them in filthy language and also attacked them with beer bottles resulting in them sustaining injuries. Hence the complaint.

3.The learned counsel 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 it is a case and case in counter and this Court had dismissed the earlier application for anticipatory bail on the ground that there are two previous cases pending as against him. But these two cases are relating to the year 2020 and thereafter, the petitioner has not being involved in other cases. He would also submit that other



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accused in this case has already been granted anticipatory bail. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the defacto complainant and his friends were talking loudly in the restaurant and when it was questioned by the accused, it leads to a quarrel, in which, the accused had abused them in filthy language and also attacked them with beer bottles resulting in them sustaining injuries. He would further submit that there are two previous cases pending against him relating to the year 2020. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court is inclined to grant anticipatory bail to the petitioner 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 District Munsif cum Judicial Magistrate, Udumalpet, Tiruppur District,



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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 stay at Villupuram, and report before the Inspector of Police, Villupuram Town Police Station daily at 10.30 a.m., for a period of two weeks and thereafter, 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;



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[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;

10.11.2022

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