



Crl.O.P.No.27145 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 offences punishable under Sections 294(b), 323, 324, 307 and 506(ii) of IPC in Crime No.611 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the *de-facto* complainant Manikandan is that, while he was having food in road side shop, the petitioner along with other accused have assaulted the *de-facto* complainant with knife and wooden logs resulted in 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 also submit that the petitioner was assaulted by the *de-facto* complainant and his friends and on the complaint given by the petitioner, a case in Crime No.610 of 2022 has been registered against the *de-facto* complainant and his friends for the offences punishable under



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section 147, 148, 294(b), 323, 324, 307 and 506(2) of IPC and that a counter complaint has been given as if the petitioner and his friends have assaulted the de-facto complainant and his friend. Further, he would submit that the injured has been discharged from the hospital and there is no previous case pending against him. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner along with the other accused have assaulted the *de-facto* complainant with knife and wooden logs resulting the grievous injuries. It is a case and case in counter. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsels and perused the materials available on record. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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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 at Thiruvotriyur, Chennai**, on condition that the petitioner shall execute a separate 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., until further orders.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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.

11.11.2022

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