



Crl.O.P.No.27137 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 147, 148, 294(b), 341, 324, 307 & 506(2) of IPC in Crime No.382 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the *de-facto* complainant Dhanasekar is that, while he along with his friends was sitting in a foot ball ground, the petitioner along with other accused persons abused them and started a quarrel with them and assaulted them with knife and beer bottle causing injuries. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner and the *de-facto* complainant are from the same locality and the incident has taken place during a quarrel. He would also submit that the other accused persons have been arrested and enlarged on bail. As far as the petitioner is concerned, there is no previous case pending against him. Hence, he prays to grant anticipatory bail to the petitioner.



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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 using knife and beer bottle. He would further submit that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel. Taking into consideration the facts and circumstances of the case, 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 Judicial Magistrate Court No.2, Poonamalle**, 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



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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.

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

11.11.2022

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