



Crl.OP.No.27255 of 2022

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**A.D.JAGADISH CHANDIRA, J.**

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The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324, 362, 341, 427, 452, 307 and 506(ii) of IPC in Crime No.331 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Sunil is that on account of previous enmity, the petitioner had come to his house on 08.10.2022 and assaulted him and his friends indiscriminately with aruval inflicting serious injuries and they also caused damage to the car. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and a false complaint has been given due to previous enmity. He would further submit that the arrested accused have been enlarged on bail and the injured has also been discharged from the hospital. He would also submit that the petitioner has no previous case as against him. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) would submit that the petitioner along with other accused trespassed into the house of the defacto complainant and assaulted him and his friends indiscriminately with aruval and causing grievous injuries. He would further submit that the injured has been discharged from the hospital and there is no previous case as against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel and perused the materials available on record including the FIR.

6. Taking into consideration the facts and the submissions made by the counsel and taking note of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail 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-II, Thiruvallur* 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 report before the respondent police on every day 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.

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