



Crl.O.P.No.27930 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 120(B), 147, 148, 294(b), 341, 307 of IPC r/w 34 of IPC & 25(1)(a) of Arms Act 1959 in Crime No.420 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioner along with the other accused had waylaid the defacto complainant and at the knife point, attempted to assault him. However, the defacto complainant managed to escape from them without sustaining injuries. Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would submit that earlier the defacto complainant had murdered the petitioner's friend and now as a pre-emption, the defacto complainant had given a false case against the petitioner as if the petitioner had attempted to assault him. Therefore, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Additional Public Prosecutor appearing for the respondent would submit that the petitioner along with the other accused had waylaid the defacto complainant and attempted to assault him using Patta knife. He would submit that the petitioner is a History Sheeted Rowdy and there are two previous cases pending against the petitioner. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. At this juncture, learned counsel for the petitioner would submit that all the previous cases are fabricated one. The other accused in this case have been arrested and they were released on bail.

6. Taking into consideration facts and circumstances of this case and the submission made by the learned counsel for the petitioner, this Court is inclined to grant anticipatory bail to the petitioner 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 XIV Metropolitan**



CrI.O.P.No.27930 of 2022

WEB COPY

**Magistrate, Egmore** 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 automatically 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 **daily at 10.30 am and 5.30 pm 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



Crl.O.P.No.27930 of 2022

the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.



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Crl.O.P.No.27930 of 2022

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

**22.11.2022**

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**Crl.O.P.No.27930 of 2022**