



Crl.O.P.No.28279 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 and 506(i) IPC in Crime No.147 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that on 05.08.2022, the petitioner along with other accused and the defacto complainant consumed liquor and they picked up quarrel, in which, the petitioner along with other accused have assaulted the defacto complainant and caused injuries. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.side) would submit that the petitioner along with other accused have attacked the defacto



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complainant and caused injuries. He would further submit that the injured person has been discharged from the hospital on 07.08.2022.

However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners 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 Court, Madathukulam, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties 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:



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[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 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[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;

**17.11.2022**

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