



WEB COPY



Crl.O.P.No.28668 of 2022

Crl.O.P.No.28668 of 2022

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, 448, 294(b), 323, 324 & 506 (ii) of IPC read with Section 4 of TNPHW Act 2002 in Crime No.278 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the *de-facto* complainant belong to same village and due to previous enmity a wordy quarrel arose between the parties. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would further submit that it is a case and case in counter. Hence, he prays to grant anticipatory bail to the petitioner.



Crl.O.P.No.28668 of 2022

WEB COPY

4. The learned Additional Public Prosecutor appearing for the respondent would submit that due to previous enmity wordy quarrel arose between the parties. He would further submit that it is a case and case in counter. The petitioner along with other accused attacked the *de-facto* complainant with iron rod and a counter case has been filed in Cr.No.279 of 2022. He would further submit that the investigation is pending. Hence, 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, Arakkonam, Ranipet District**, on condition that



CrI.O.P.No.28668 of 2022

the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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.

[d] the petitioner shall not abscond either during investigation or trial.



WEB COPY



Crl.O.P.No.28668 of 2022

A.D.JAGADISH CHANDIRA, J.
mpl

[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.

22.11.2022

mpl

Crl.O.P.No.28668 of 2022