



Crl.O.P.No.28645 of 2022

Crl.O.P.No.28645 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, 294(b), 307 and 506(ii) of IPC, in Crime No. 722 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 intimidated, abused and assaulted the defacto complainant and caused injuries to the defacto complainant . Hence, the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent and he has been falsely implicated in this case, since he happens to be the friend of A1. He would further submit that the injured has been discharged from the hospital and the arrested accused are released on bail. Hence, he prays to grant anticipatory bail to the petitioner.



Crl.O.P.No.28645 of 2022

4. The learned Additional Public Prosecutor appearing for the respondent would submit that the injured has been discharged from the hospital on 13.11.2022. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of the fact that the injured has been discharged from the hospital, 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, Siriperubuthur** on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, out of which, one surety should be either mother or father of the petitioner, 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



Crl.O.P.No.28645 of 2022

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 daily at 6.30 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 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

shk



WEB COPY



Crl.O.P.No.28645 of 2022

A.D.JAGADISH CHANDIRA,J.

shk

Crl.O.P.No.28645 of 2022

22.11.2022