



Crl.O.P.No.29475 of 2022

Crl.O.P.No.29475 of 2022

T.V.THAMILSELVI,J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 324 and 506(ii) of IPC in Crime No.106 of 2021, seeks anticipatory bail.

2. The case of the prosecution is that while the defacto complainant and his friend were returning to his house, due to previous enmity one Mani @ C.C.Mani along with other accused have assaulted the defacto complainant resulting in him sustaining injuries. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and there is no previous pending against the petitioner. He would further submit that the petitioner is prepared to abide by any stringent conditions that may be imposed by this Court and hence, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Crl. Side) would submit that due to previous enmity one Mani @ C.C.Mani along with other accused have assaulted the defacto complainant resulting in him sustaining injuries. He would further submit that the injured has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioner.

5. 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 District Munsif cum Judicial Magistrate Court, Madhavaram**, on condition that the petitioner shall execute separate bond for a sum of **Rs.10,000/- (Rupees Ten 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 every Saturday at 10.30 a.m. for a period of three 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]**;



WEB COPY



Crl.O.P.No.29475 of 2022

T.V.THAMILSELVI,J.

sp

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

05.12.2022

sp

Crl.O.P.No.29475 of 2022