

Crl.O.P.No.31781 of 2022**T.V.THAMILSELVI, J.**

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The petitioner who apprehends arrest for the alleged offence under Sections 294(b), 307, 323, 324, 341 of IPC in Cr.No.484 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that when the petitioner and other accused were standing in the road, the defacto complainant blew the horn to keep them away. Due to which, there was a wordy quarrel arose between the petitioner and the defacto complainant. Consequently, the petitioner and other accused attacked the defacto complainant and in the said attack the defacto complainant sustained grievous head injuries. Thereby, the law enforcing agency registered a case against the petitioner.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent submits that the petitioner was standing in the middle of the road and he further submits that the injured person has been discharged from the



hospital. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned *I Judicial Magistrate Court, Chengalpattu*, on condition that the petitioner shall execute a 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 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 Court concerned 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 Sunday at 10.30 a.m. for a period of six 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 anticipatory 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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

23.12.2022

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To
The I Judicial Magistrate Court,
Chengalpattu,



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