



Crl.O.P.No.31263 of 2022

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T.V.THAMILSELVI, J.

The petitioner who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147,148, 294(b), 324, 341 and 506(ii) of IPC in Crime No.411 of 2022, seek anticipatory bail.

2. The case of the prosecution as per the petitioner defacto complainant is that he went to his relative house for celebrating the birthday of his son and when he was consuming refreshments in a shop the petitioner along with other accused attacked the son of the complainant and caused blood injuries to him. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is a innocent person and a false complaint has been given against him. He would further submit that the injury sustained by the son of the defacto complainant is simple in nature. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (crl.side) appearing for the respondent would submit that the petitioner has assaulted the son of the defacto complainant and caused injuries to him. 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 of the case and the submissions made by the learned counsel and also taking note 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 their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Thiruvottriyur** on condition that the



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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 on every Sunday at 10.30 a.m., for a period of eight weeks and thereafter, appear before the trial Court on all hearing dates.

[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



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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;

20.12.2022

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