

Crl.O.P.No.31400 of 2022

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 294 (b), 323 and 506(ii) of IPC in Cr.No.451 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that due to previous enmity, there was a quarrel between the petitioner and the defacto complainant. During the said quarrel, the petitioner along with two accused persons abused the defacto complainant with filthy language and assaulted him. Due to which, he sustained injuries and admitted in the hospital. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not been committed any offence as alleged by the prosecution and the defacto complainant had sustained only simple injuries. He would further submit that there is a case in counter registered against the defacto complainant. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.



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4.The learned Government Advocate (Crl.side) would submit that injured person has been discharged from the hospital.

5. Considering the fact that the injured has been discharged from the hospital and that it is a case and a case in counter, this Court is inclined to grant anticipatory bail to the petitioners.

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 of receipt of a copy of this order, before the learned **Judicial Magistrate No.6, Coimbatore**, on condition that the petitioners shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** each, 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;



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(b)the petitioner shall report before the respondent police every saturday at 10.30 a.m. for a period of four 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]***; and;

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

21.12.2022

vsn

To

The Judicial Magistrate No.6, Coimbatore,



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