

Crl.O.P.No.31846 of 2022**T.V.THAMILSELVI, J.**

WEB COPY

The petitioner, who apprehends arrest for the alleged offence under Sections 147, 148, 294(b), 324, 307 and 506(ii) of IPC in Cr.No.796 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioner and other accused were in an inebriated state near the defacto complainant's bar. When the defacto complainant and his friend viz.Ramasamy questioned the petitioner, a wordy quarrel broke out between the two sides. The petitioner and other accused persons abused the defacto complainant and his friend in an unparliamentary words. Further, they made a fuss with them. Subsequently, he assaulted them with a knife and liquor bottle. In the said attack, the defacto complainant and his friend sustained grievous injuries. Hence, the case.

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. He would further submit that there is a case in counter registered against the defacto complainant. He further submits that the petitioner also sustained eighteen stitches on his head and he is still in the Hospital. Hence, he prays to grant anticipatory bail to the



petitioner.

4.The learned Government Advocate (Crl.side) appearing for the respondent would submit that the petitioner abused the defacto complainant and his friend in filthy languages, assaulted and threatened them with dire consequences. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that it is a case and a case in counter and the petitioner also sustained eighteen stitches on his head. 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 **Judicial Magistrate-II, Poonamalle**, 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 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

dk

To
The Judicial Magistrate-II,
Poonamalle

T.V.THAMILSELVI, J.
dk



WEB COPY



CrI.O.P.No.31846 of 2022

23.12.2022