



Crl.O.P.No.32178 of 2022

WEB COPY

Crl.O.P.No.32178 of 2022

T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324, 506(i) IPC, in Crime No.278 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 27.11.2022, the first accused, abused the de-facto complainant in a filthy language, for not giving way to him and and attacked him on his chin, causing injuries. The further allegation is that the petitioner along with the other accused have assaulted the de-facto complainant and his father, resulting in grievous injuries. Hence the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He also stated that the petitioner is ready to abide by any stringent conditions



Crl.O.P.No.32178 of 2022

that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that there was a quarrel between the de-facto complainant and the petitioner, during which, the petitioner along with the other accused abused the de-facto complainant in a filthy language and assaulted the de-facto complainant and his father, causing grievous injuries. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. At this juncture, the learned counsel for the petitioner, on instructions, submitted that without prejudice to the rights, the petitioner is ready to deposit a sum of Rs.10,000/- to the credit of crime number. Hence, he prays for grant of anticipatory bail to the petitioners.

6. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.



CrI.O.P.No.32178 of 2022

7. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel and also considering the fact that the petitioner without prejudice to his rights, is volunteered to pay a sum of Rs.10,000/- to the credit of the crime number, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

8. 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 **Judicial Magistrate No.IV, Vellore**, 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, failing which, the petition for anticipatory bail shall stands dismissed and on further condition that:

[a] the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten thousand only) to the credit of Crime No.278 of 2022 before the learned Judicial Magistrate-IV Vellore, within a period of two weeks from



CrI.O.P.No.32178 of 2022

WEB COPY

the date of receipt of a copy of this order and on such deposit the said amount may be disbursed to the de-facto complainant, within a period of two weeks thereafter;

[b] 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;

[c] the petitioner shall report before the respondent police on every Wednesday at 10.30a.m., for a period of six weeks and thereafter, as and when required for interrogation;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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 has been imposed and the petitioner is 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;



WEB COPY



CrI.O.P.No.32178 of 2022

[g] if the accused thereafter absconds, a fresh FIR
can be registered under Section 229-A IPC;

23.12.2022

ham



WEB COPY



Crl.O.P.No.32178 of 2022

T.V.THAMILSELVI, J.

ham

Crl.O.P.No.32178 of 2022

23.12.2022