

Crl.O.P.No.32544 of 2022

WEB COPY **A.A.NAKKIRAN J.**

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 332, 353 and 506(ii) of IPC in Crime.No.328 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that when the defacto complainant who is a police official was on regular patrol, the petitioner prevented him from discharging his official duty and also attacked him, due to which the defacto complainant sustained simple injuries. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is a innocent and he has not committed any such offence as alleged by the prosecution and has been falsely implicated in this case. Hence he prays to grant anticipatory bail the petitioner.

4. The learned Government Advocate (Crl.Side) would submit that the petitioner attacked the defacto complainant who is a Government servant and caused simple injuries to him and he was treated as out patient.. Hence,



he vehemently opposed to grant anticipatory bail to the petitioner.

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5. Considering the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner **and also considering the fact that the injuries are simple in nature and the defacto complainant was treated only as out patient** 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 VIII Metropolitan Magistrate, GT, Chennai** 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 Anna Nagar Police Station daily at 10.30 a.m., until further orders;

(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.

28.12.2022

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