



Crl.O.P.No.126 of 2023

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 324, 307 of IPC in Crime No.658 of 2020 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that due to wordy quarrel between the accused and the defacto complainant, the accused abused the de-facto complainant in a filthy language, attacked him with wooden log, resulting in him sustaining injuries and have also threatened him with dire consequences. Hence the case.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that due to previous enmity, a false complaint has been given against him. He also stated that the similarly placed co-accused in this case



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have been granted anticipatory bail by this Court in Crl.O.P.No.11229 of 2020 and hence, he prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police submitted that due to wordy quarrel, the petitioner along with other accused abused the de-facto complainant in a filthy language, attacked him with wooden log and also threatened him with dire consequences. He further submitted that the injured has been discharged from the hospital, however, he opposed to grant anticipatory bail to the petitioner.

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

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.



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7. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioner and considering the fact that the injured has been discharged from the hospital and also taking note of the fact that the petitioner on his own volition ready to deposit a sum of Rs.10,000/- to the credit of 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.I, 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:



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[a]the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.658 of 2020, before the concerned Magistrate, at the time of furnishing sureties and the learned trial Judge shall disburse the amount to the defacto complainant;

[b] 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;

[c] the petitioner shall report before the respondent police on every Saturday at 10.30 a.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 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



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in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**;

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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