



Crl.O.P.No.337 of 2023

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T.V.THAMILSELVI, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 341, 324, 294(b) and 506(ii) of IPC @ 147, 148, 341, 324, 294(b) and 506(ii) of IPC in Crime No.327 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused have formed unlawful assembly and restrained the defacto complainant with filthy language, attacked him and also threatened him. Hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is innocent person and due to previous enmity, a false complaint has been given against him. He would further submit that without prejudice, the petitioner is ready and willing to deposit a sum of Rs.5,000/- as non- refundable deposit to any welfare scheme of the Government. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the defacto complainant who is a crane operator try to operate the crane , at that time, the petitioner along with other accused restrained him with filthy language, attacked him and also threatened him. He would further submit that the injured has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioner.

5.The learned counsel for the defacto complainant vehemently opposed stating that the defacto complainant had sustained grievous injuries.

6.Taking into consideration the facts of the case and the submissions made by the learned counsel and also of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand only) to the credit of the "Tamilnadu Advocate Clerk Association, Chennai, A.C.No.484026006, IFSC Code:IDIB000157, Indian Bank, High Court Branch"**, without prejudice to his rights and contentions before the trial Court, on such deposit and production of proof, 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.II, Thiruvallur, 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 stand dismissed 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 Magistrate may obtain a copy of their Aadhar card or Bank pass Book to



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ensure their identity.

[b] the petitioner shall report before the respondent police on alternative days at 10.30 a.m., for a period of eight weeks.

[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 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]**;

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

09.01.2023

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T.V.THAMILSELVI, J.



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