



Crl.O.P.No.682 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 Section 307, 143, 294(b), 324, 332, 149 and 506(ii) of IPC in Crime No.01 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that during new year celebration, there arose a wordy quarrel in between the petitioner and the defacto complainant and the petitioner attacked the defacto complainant, due to which he sustained grievous injuries and admitted in hospital. Hence, the case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. However, he would submit that the petitioner, without prejudice to his rights and contentions is ready and willing to deposit some amount to the credit of Crime No.01 of 2023. Therefore, he prays to grant



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anticipatory bail to the petitioner.

4. Learned Public Prosecutor (Pondicherry) would submit that the petitioner attacked the victim, due to which he sustained injuries. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the petitioner is ready and willing 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.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of crime No.01 of 2023 within a period of two weeks from the date on which the order copy made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the learned **Judicial Magistrate No.I, Puducherry**, 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



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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 ensure their identity.

[b] the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand Only) to the credit of Cr.No.01 of 2023 before the learned Judicial Magistrate No.I, Puducherry within a period of two weeks from the date of receipt of a copy of this order and the defacto complainant is permitted to withdraw the above said amount on proper identification and to file an affidavit of undertaking before the trial Court.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial.

[d] the petitioner shall appear before the respondent police on every Wednesday at 10.30



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a.m., for a period of eight weeks and thereafter, as and when required for interrogation.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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]**.

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

12.01.2023

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To

1. The Judicial Magistrate No.I,
Puducherry,

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2. The Public Prosecutor,
High Court of Madras.

T.V.THAMILSELVI, J.

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12.01.2023