



Crl.O.P.No.961 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehend arrest for the alleged offence under Sections 147, 148, 294(b), 323, 324, 427, 506(II) of IPC in Cr.No.345 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that due to previous enmity in local body election, the petitioner along with other accused person attacked the defacto complainant with iron rod and the defacto complainant sustained injuries in the head. Hence the complaint.

3.The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and the defacto complainant had sustained only simple injuries. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.side) would submit that the petitioner along with other accused person attacked the defacto complainant



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and he sustained injuries in the head. He further submitted that the injured has been discharged from the hospital. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner.

6. 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 of receipt of a copy of this order, before the learned **Judicial Magistrate, Vanur, Villupuram**, condition that the petitioner shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** each, 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;



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(b) the petitioner shall report before the respondent police as and when required for interrogation;

(c) 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;

(g) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

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