



Crl.O.P.No.1208 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 323, 294(b) & 506(ii) of IPC in Crime No.Not Known of 2023, seek anticipatory bail.

2.The case of the prosecution is that due to consumption of alcohol, the petitioner assaulted the de-facto complainant. Due to the said impact he sustained injuries. Hence the case.

3.The learned counsel appearing for the petitioner would submit that he has nothing to do with the alleged offence. Hence, he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that due to consumption of alcohol, the petitioner assaulted the defacto complainant. Due to the said impact he sustained injuries.. He would submit that the injured has been discharged



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from the hospital. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6.Considering the facts and circumstances 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.

7.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.II, Alandur on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties 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



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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 his photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.

(b) the petitioner shall report before the respondent police every Saturday at 10.30 a.m., for the period of eight weeks and thereafter as and when required for interrogation;

(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]***; and;



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

23.01.2023

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