



Crl.O.P.No.1588 of 2023

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T.V.THAMILSELVI, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under sections 147, 148, 294(b), 323, 324, 379 and 506(ii) of IPC in Crime No.285 of 2022 seeks anticipatory bail.

2. The case of the prosecution is that on 14.08.2022 the petitioner along with other accused went to Tasmac Shop and demanded Rs.5,000/- and the same was refused by the defacto complainant, due to which the petitioner assaulted the defacto complainant in brutal manner. Hence, the complaint.

3. The learned Counsel for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and a false case has been foisted against him. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.side) for the respondent police submitted that on 14.08.2022 the petitioner along with other accused went to Tasmac Shop and demanded Rs.5,000/- and the same was refused by the defacto complainant, due to which the petitioner assaulted the defacto complainant in brutal manner. Hence, he opposed for grant of anticipatory bail to the petitioner.

5.Considering the facts and circumstances of the case and also the submissions made by the learned counsels and investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance before the learned **Judicial Magistrate No.1, Sankari** 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



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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 is directed to 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.

[d] the petitioner is directed to deposit a sum of Rs.5,000/-(Rupees Five Thousand only) to the credit of Crime No.285 of 2022 within a period of two weeks from the date of receipt of copy of this order before the concerned Magistrate and on such deposit the learned Magistrate shall disburse the above amount to the defacto complainant.

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



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[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]**.

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

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