



CrI.O.P.No.1774 of 2023

CrI.O.P.No.1774 of 2023

WEB COPY

T.V.THAMILSELVI, J.

The petitioner who apprehends arrest for the alleged offence under Sections 294(b), 323, 324 and 506(ii) of IPC in Cr.No.315 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant was bring some machinery for his business purpose along with two of the North Indian people to Tamil Nadu. On 21.12.2022 around 10.15 p.m when he was in a road side hotel along with North Indian people, when was questioned by the defacto complainant all the petitioners altogether attacked him. Hence, the case.

3.The learned counsel appearing for the petitioner would submit that the present complaint is lodged by the defacto complainant is only defamed this petitioner with the business motive and that the defacto complainant had not sustained any injuries. Hence, the learned counsel prays to grant anticipatory bail to the petitioner



4.The learned Government Advocate (CrI.side) would submit that the injured has been discharged from the hospital. He opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that this Court is inclined to grant anticipatory bail to the petitioner.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned **Judicial Magistrate, No-IV, Salem**, 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 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;

(b) **the petitioner shall report before the respondent police on every Friday at 10.30 a.m for a period of four weeks and thereafter, as**



Cr.L.O.P.No.1774 of 2023

and when require for interrogation;

(d)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.

30.01.2023

vsn



WEB COPY



CrI.O.P.No.1774 of 2023

T.V.THAMILSELVI, J.

vsn

CrI.O.P.No.1774 of 2023

30.01.2023