



CrI.O.P.No.3458 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 147, 148, 294(b), 324, 307, 506(ii) of IPC in Cr.No. 2834 of 2020 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the petitioner and the defacto complainant, due to which, the petitioner and some others attacked the defacto complainant with Machete and that the defacto complainant sustained injuries in the head. Hence, the case.

3.The learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution. He further submits that there is a case in counter registered against the defacto complainant. Hence, the learned counsel prays to grant anticipatory bail to the petitioner.

4.The learned Government Advocate (CrI.side) submits that the



petitioner along with others, attacked the defacto complainant with machete and the defacto complainant sustained injuries in the head. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Considering the fact that the it is a case and a case in counter, 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 Court, Thiruvottiyur**, on condition that the petitioners shall execute a 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;



CrI.O.P.No.3458 of 2023

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(b)the petitioner shall report before the respondent police every Morning at 10:30 a.m., and Evening at 05:30 p.m. before the respondent Police for a period of eight weeks;

(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;

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

15.02.2023

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To
Judicial Magistrate Court, Thiruvottiyur

3/4



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Crl.O.P.No.3458 of 2023

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Crl.O.P.No.3458 of 2023

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