



CrI.O.P.No.3326 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence under Section 147, 148, 435, 506(2) of IPC and Section 9(B)(3)(b) of the Indian Explosive Act, 1884 in Cr.No.394 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 08.12.2022 at about 9.15 P.M., the petitioner along with other accused persons have thrown Petrol bottle bombs on the de-facto complainant's house. Hence, this complaint.

3. Learned counsel appearing for the petitioner submits that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submits that on the said date of occurrence, the petitioner herein was admitted in hospital and was undergoing treatment for the injury in his left hand and submitted the medical records to substantiate the same. Hence, he prayed for grant of anticipatory bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent submits that due to previous enmity, the petitioner along with other accused persons attacked the de-facto complainant's house by using petrol bottle bombs. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the investigation is almost completed, this Court is inclined to grant anticipatory bail to the petitioner.

6. Accordingly, the petitioner is ordered to be released on anticipatory 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-2, Krishnagiri**, 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:



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(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 daily both in the morning at 10.30 a.m. and in the evening at 4.30 p.m. for a period of two months;

(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 anticipatory 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.



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