



Crl.O.P.No.4133 of 2023

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T.V.THAMILSELVI, J.

The petitioner, who apprehends arrest for the alleged offence punishable under Sections 294(b), 324, 393 and 506(ii) of IPC in Cr.No.633 of 2022 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 26.12.2022 at about 07.00 P.M, when the de-facto complainant was returning back to the office in his two wheeler, the petitioner along with other accused persons came in bike and dashed the de-facto complainant's bike. When the same was questioned by the de-facto complainant, the petitioner and other accused persons abused him using filthy language and attacked him by using knife, due to which, the de-facto complainant sustained serious injuries and got admitted in the hospital. Hence, this complaint.

3. Learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court.



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Hence, he prayed for grant of anticipatory bail to the petitioner.

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4. Learned Government Advocate (Crl.side) submits that the petitioner along with other accused persons attacked the de-facto complainant due to which, he sustained grievous injuries in his eyes and got admitted in the hospital. He further submitted that, there are seven previous cases pending as against the petitioner. 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 petitioner on his own volition, is ready to deposit a sum of Rs.10,000/- to the credit of the Cr.No.633 of 2022, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Cr.No.633 of 2022 within a period of four weeks from the date on which the order copy is made ready, and on such deposit the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before the **learned Judicial**



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Magistrate, Thiruthuraipoondi, 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only)** to the credit of Crime No.633 of 2022 before the concerned Magistrate of four weeks from the date on which the order copy is made ready and the de-facto complainant is permitted to withdraw the said deposit amount of Rs.10,000/- on proper identification and acknowledgment;

(b) 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;

(c) the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two months;



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(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;

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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 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;

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

27.02.2023



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