



Crl.O.P.No.4990 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 341, 294(b), 324 and 506(ii) of IPC in Crime No.72 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that due to previous enmity, the petitioner along with other accused had picked up a quarrel with the defacto complainant, abused him with filthy language and also assaulted him. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that there was a quarrel between two groups in a college and he has nothing to do with the alleged offence. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police would submit that the petitioner and the defacto complainant belong to two rival gangs in a college and during the quarrel, the petitioner along with his friends assaulted the defacto complainant and his friends. He would further submit that the injured has been treated as an out patient. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel and perused the entire materials available on record including the First Information Report.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel and also of the fact that the injured has been treated as an out patient, this Court is inclined to grant bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned Judicial Magistrate, Madhavaram, on condition that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties (out of which one shall be a mother or father of the petitioner) 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 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 shall report before the respondent Police daily at 6.30 p.m., for a period of two weeks and thereafter every Saturday at 6.30 p.m., until further orders.

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[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]**;

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

07.03.2023

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