



CrI.O.P.No.5254 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 323, 384 and 506(i) of IPC in Crime No.137 of 2023, seek anticipatory bail.

2. The case of the prosecution is that on 27.02.2023, A1 along with the petitioner attacked the de facto complainant and asked him money for consuming alcohol and A1 snatched the de facto complainant's chain and the petitioner kicked the de facto complainant on his chest. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. He would also submit that A1 and the de facto complainant are relatives. He would further submit that there is previous enmity between the petitioner and the de facto complainant. There is no previous case as against the petitioner. Hence, he prays for



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grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that the de facto complainant and the first accused and the petitioner are known to each other. The A1 along with the petitioner attacked the de facto complainant and asked money to consume alcohol and abused the de facto complainant and snatched the chain. He would further submit that the petitioner has no previous case against him. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the above facts and circumstances of the case and the submissions made on both sides, this Court is inclined to grant anticipatory 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 her appearance, within a period of fifteen days from the date on which the order copy made ready, before **the Judicial Magistrate - I, Alandur**, on condition that the petitioner shall execute a separate bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity.

[b] **the petitioner shall report before the respondent police every day at 10.30 a.m., until further orders.**

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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 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]**.

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

08.03.2023

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