



Crl.O.P.No.5306 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 294(b), 324 and 506(ii) of IPC, in Crime No.76 of 2023, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant Chinnathirupathi is that the petitioner/accused had teased his relative girl namely Ashwini who was also studying in the same college in which the petitioner and the defacto complainant were studying. Therefore, the defacto complainant questioned the same for which, the petitioner/accused abused him with filthy language and assaulted with pocket knife resulting him in sustaining injuries. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and there was a friendship between the petitioner and the said Ashwini. The defacto complainant who is the relative of the said Ashwini, on suspecting that the petitioner is having love affair with her, had created a trouble and subsequently, has



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given the false complaint against the petitioner. Hence he prays for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate(Crl.Side) appearing for the respondent Police would submit that the injured has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioner.

5.Heard the learned counsel and perused the entire materials available on record.

6.Taking into consideration the facts and circumstances of the case and also of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

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-I, Krishnagiri**, 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 surety shall be a mother or



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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 stay at Chengalpet and report before the Chengalpet Town Police Station everyday at 10.30 a.m., until further orders.

[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



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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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