



Crl.O.P.No.6462 of 2023

Crl.O.P.No.6462 of 2023

A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 294(b), 323, 506(ii) of IPC in Crime No.108 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Manikandan, who is an Advocate by profession, on 06.03.2023, when the defacto complainant was on the way to the Sulur Sub Court, Coimbatore on his two-wheeler vehicle, a unknown person aged about 50 years crossed the road with carelessness and the defacto complainant stopped the vehicle and advised him to cross the road with care and at that time, the petitioner along with other persons attacked the defacto complainant and also threatened him with dire consequences. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He further submit that the defacto complainant is an Advocate practising in



Crl.O.P.No.6462 of 2023

Coimbatore and due to his influence, a false complaint has been registered against the petitioner. Hence, he prays for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that on the said date of occurrence, when the defacto complainant was on the way to the Sulur Sub Court, Coimbatore on his vehicle, the petitioner along with other persons were attacked the defacto complainant and also threatened him with dire consequences. He further submit that the injured has been discharged from the hospital. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

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

6. Taking into consideration the facts and circumstances of the case and also 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



Crl.O.P.No.6462 of 2023

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 No.III, Coimbatore, on condition that the petitioner shall execute a 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 their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall stay at Cuddalore and report before the Cuddalore Old Town Police Station, everyday at 10.30 a.m, for a period of three weeks and thereafter, the petitioner shall report before the respondent police on every Saturday at 10.30 a.m, until further orders.

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



Crl.O.P.No.6462 of 2023

A.D.JAGADISH CHANDIRA. J.

drl

[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;

27.03.2023

drl

Crl.O.P.No.6462 of 2023