



Crl.O.P.No.6568 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323, 324 and 506(ii) of IPC, in Crime No.57 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant Vijay is that on 11.03.2023 at about 9.45 p.m, when the defacto complainant and his friends were discussing, the petitioners along with other accused persons came to the spot and abused him in un-parliamentary words and also attacked him with plastic pipe, on account of which, the defacto complainant sustained blood injury. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case. He further submit that the main accused A1 and A2 were arrested and released on bail by the Lower Court. He further submit that the petitioner has no previous



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case against him. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) would submit that the petitioners along with other accused persons abused the defacto complainant in un-parliamentary words and also attacked him with plastic pipe and thereby he sustained blood injury. He further submit that the petitioner has no previous case pending against them and the injured has been discharged from the hospital. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

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 petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from



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the date on which the order copy made ready, before the learned Judicial Magistrate, Ambattur, on condition that the petitioners 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 petitioners 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 petitioners shall report before the respondent police everyday at 10.30 a.m, until further orders;

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

[d] the petitioners 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



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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;

27.03.2023

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