



Crl.O.P.No.6631 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 341, 294(b), 324 and 506(ii) of IPC, in Crime No.122 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioner and the defacto complainant's son. The petitioner attacked the defacto complainant's son with rod and abused him with filthy language, as a result of which, the defacto complainant's son sustained injuries. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and a false complaint has been registered against him. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) would submit that there was a wordy quarrel between petitioner and the defacto complainant's son. The petitioner had attacked the defacto complainant's son with rod, resulting him in sustaining injuries. He would further submit that the injured has been discharged from the hospital. 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.

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, Ponneri**, on condition that the petitioner shall



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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 his Aadhar card or Bank pass Book to ensure their identity.

**[b] the petitioner shall report before the respondent police 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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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.

**28.03.2023**

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