



Crl.O.P.No.6726 of 2023

Crl.O.P.No.6726 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 294(b), 323, 506(i) and 332 of IPC, in Crime No.64 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on 16.03.2023, based on the secret information received from the Supervisor of Theerthamalai TASMACH Shop No.2208, the defacto complainant/Grade I constable found that the petitioner along with other accused have quarrelled demanding liquor bottles for free of cost. Hence, the complaint.

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.



Crl.O.P.No.6726 of 2023

WEB COPY

4. The learned Government Advocate (Criminal Side) would submit that the petitioner along with other accused have quarrelled demanding liquor bottles for free of cost. He would further submit that A1 snatched the defacto complainant's mobile phone and thrown it on the road and broken it. He would further submit that the petitioner along with other accused persons had abused the defacto complainant and their associates with filthy language and threatened them and also attacked them with stone, resulting them 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.



Crl.O.P.No.6726 of 2023

WEB COPY

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, Harur**, 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 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.**



Crl.O.P.No.6726 of 2023

[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 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.

31.03.2023

jas



WEB COPY



Crl.O.P.No.6726 of 2023

A.D.JAGADISH CHANDIRA, J.

jas

Crl.O.P.No.6726 of 2023

31.03.2023