



Crl.O.P.No.6808 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, 307, 506(ii) of IPC in Crime No.14 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Praveenkumar is that on 13.01.2023 at about 10.30 p.m, due to previous enmity, there was a wordy quarrel between the petitioners and the defacto complainant, thereby they scolded him in filthy language and attacked him with knife and wooden log, due to which, he sustained injuries and thereafter he was admitted in the hospital for treatment. 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 co-accused in this case were arrested and released on bail by this Court in Crl.OP.No.3769 of 2023 dated 20.02.2023. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that on the date of occurrence, due to previous enmity, the petitioner along with other accused persons attacked the defacto complainant with knife and wooden log, due to which, he sustained injuries. He further submit that the injured has been discharged from the hospital and he has also got one previous case pending against him. However, he would vehemently opposed for grant of 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 the submissions made by the learned counsel on either side and also the fact that the co-accused have been arrested and released on bail, 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 No.I, Mayiladuthurai, on condition that the petitioner shall execute



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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 Chennai and report before the Inspector of Police, Flower Bazaar Police Station, everyday at 10.30 a.m, for a period of two weeks and thereafter he 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;

[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



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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;

30.03.2023

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