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Crl.O.P.No.7749 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 506(i), 294(b), 353, 452, 341, 143, 188 of IPC in Crime No.54 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Kumaresan Special Sub Inspector of Police is that one Dhanush had driven a two wheeler and dashed against one Umamaheshwari aged 64 years and thereby, she sustained injuries. The said Dhanush was taken into custody by the police, while so, the accused belong to political party, have quarrelled with the police and threatened to handover the said Dhanush to their custody. 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 given against him. He would submit that the one Dhanush who caused accident



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while driving his two wheeler and dashed against one Umamaheshwari aged 64 years. The villagers, who were agitated by the said accident quarrelled with the respondent police to hand over the said Dhanush, other than that they have not committed any offence. He would submit that even as per the allegation in the complaint the petitioner is stated to have caused a roadblock and he has not entered into the police station or quarrelled with the police. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (criminal side) for the respondent would submit that the petitioner is a member of political organisation. One Dhanush, had caused an accident and he was taken into custody by the police. When the said Dhanush was in the police station, the petitioner along with other accused have quarrelled with the police and threatened to handover the said Dhanush to their custody. Hence, he opposed for grant of anticipatory bail to the petitioner/accused.



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5. Heard the learned counsel and perused the entire materials available on record including the First Information Report.

6. Taking into consideration the facts of the case and the submissions made by the learned counsel, this Court is inclined to grant 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, Walajapet, Ranipet District**, 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:



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[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 every day 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 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.

18.04.2023

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