



Crl.O.P.No.7665 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 offence punishable under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No.196 of 2022, seeks anticipatory bail.

2. The case of the prosecution is that in a wordy quarrel, the petitioner is alleged to have attacked the defacto complainant by hands and thereby caused injury. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner was earlier granted anticipatory bail by this Court in Crl.O.P.No.11141 of 2022 vide Order dated 12.05.2022, however he was unable to furnish the sureties and to surrender before the concerned Court and thereby, the earlier Order has got lapsed and the present anticipatory bail has been filed. He would further submit that the petitioner is ready to abide by any stringent condition that may be imposed by this Court, hence, he prayed for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that during a quarrel, the petitioner is alleged to have attacked the defacto complainant by hands and caused injury. He would further submit that the petitioner was granted anticipatory bail by this Court in Crl.O.P.No.11141 of 2022 vide Order dated 12.05.2022, however he failed to execute the sureties. Hence, he vehemently opposed to grant anticipatory bail to the petitioner.

5.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6.Considering the above facts and circumstances of the case, the submissions made by the learned counsel on either side, 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



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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.II, Thiruvallur, on condition that the petitioner shall execute his own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) 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 report before the respondent Police as and when required for interrogation;

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

[d] the petitioners shall not abscond either during investigation or trial;



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[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 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;

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12.04.2023

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