



Crl.O.P.No.8337 of 2023

Crl.O.P.No.8337 of 2023

WEB COPY

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 and 506(ii) of IPC, in Crime No.43 of 2023, seeks anticipatory bail.

2.The case of the prosecution as per the defacto complainant is that, he was working under A1 as a Supplier and on 31.03.2023, at about 3.30 p.m., as the customers did not come, the defacto complainant fell asleep in the sofa and on seeing the same, A1 questioned the defacto complainant and attacked him with PVC pipe and also threatened him with dire consequences. Hence, the complaint.

3.The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and a false complaint has been given. He would submit that A1 in this case, has been arrested and released on bail. Hence he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.8337 of 2023

WEB COPY

4.The learned Government Advocate(Crl.Side) appearing for the respondent Police would submit that the defacto complainant was working under A1, as a Supplier and on 31.03.2023, at about 3.30 p.m., as the customers did not come, the defacto complainant fell asleep in the sofa and on seeing the same, A1 questioned the defacto complainant, attacked him with PVC pipe and also threatened him with dire consequences. He would further submit that the injured has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioner.

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

6.Taking into consideration the facts and circumstances of the case and that submissions made by the learned counsel and also of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain



CrI.O.P.No.8337 of 2023

conditions.

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, Madathukulam, Tiruppur 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:

[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



Crl.O.P.No.8337 of 2023

respondent Police daily 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 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;

27.04.2023

mpa



WEB COPY



Crl.O.P.No.8337 of 2023

A.D.JAGADISH CHANDIRA, J.

mpa

Crl.O.P.No.8337 of 2023



WEB COPY



CrI.O.P.No.8337 of 2023

27.04.2023