



Crl.O.P.No.8467 of 2023

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S.SOUNTHAR, J.,

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294 (b), 324 & 506 (2) of IPC in Crime No.153 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant namely Rajendran is that due to previous enmity, the petitioner abused and assaulted the 2nd son of the defacto complainant with knife on his leg due to which, he sustained injuries. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and a false case has been foisted against him. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the injured has been discharged from the hospital and there is no previous case against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.



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5. Having regard to the nature of allegations made against the petitioner in the FIR and also of the fact that the injured has been discharged from the hospital and that there is no bad antecedents against the petitioner, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. 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, Arakkonam**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with **two sureties** 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.



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[b] the petitioner shall report before the respondent police everyday at 10.30 a.m. for a period of two weeks and thereafter, as and when required for interrogation.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] the petitioner shall not abscond either during investigation or trial.

[f] 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].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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