



Crl.O.P.No.9079 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 341, 294(b), 324 and 506(ii) of I.P.C, in Crime No.166 of 2023, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that on the date of occurrence, when the defacto complainant was returning home in bike, the petitioner had waylaid him, abused him with filthy language and assaulted him with a knife due to which he sustained injuries. 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. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) would submit that on the date of occurrence, when the defacto complainant was returning to his home in his bike, the petitioner had waylaid him, abused him with filthy language and assaulted him with a knife due to which he sustained injuries. He would submit that the injured has been discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration of the facts and submissions made by the learned Counsel on either sides and also taking note that the injured has been discharged from the hospital, 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



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from the date on which the order copy made ready, before the learned
XV Memorandum Magistrate Court, George Town, Chennai, on
condition that the petitioner shall execute a bond for a sum of
Rs.10,000/- (Rupees Ten 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 respondent
police everyday at 10.30 a.m., for a period of two weeks
and thereafter 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.



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[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 abscond, a fresh FIR can be registered under Section 229A IPC.

28.04.2023

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