



CrI.OP.No.9563 of 2023

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 341, 294(b), 323, 427 and 506(ii) of IPC in Crime No.121 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant uncle's son who was studying 12th standard , going to write the examination. At that time, he called him by phone and informed that he was abused and criminally intimidated by three persons. Thereby, the defacto complainant immediately called 100 and informed the same. Based on which, the respondent police registered a case against the petitioner.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any such offence as alleged by the prosecution. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl. Side) would submit that the defacto complainant uncle's son was abused and criminally intimidated by three persons and caused injuries to him. He would admit that the injured has taken treatment as out patient. However, he would vehemently oppose to grant anticipatory bail to the petitioner.

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

6. Having regard to the allegations made against petitioner and also the fact that the injured has taken treatment as out patient, this Court is inclined to grant anticipatory bail 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 District Munsif Court-Cum-Judicial Magistrate, Pallavaram*** 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 respondent police every day at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[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



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himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.

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

05.05.2023

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