



CRL.O.P.No.10255 of 2023



S.SOUNTHAR, J.

WEB COPY

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(II) IPC in Crime No.235 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the *de facto* complainant, who is running a TASMACH bar was attacked by some unknown persons, when he questioned them for creating nuisance in front of the bar. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner was falsely implicated in this case. He further submitted that the injured has been discharged from the hospital and hence, he prays for grant of anticipatory bail to the petitioner.

4. Heard the learned Government Advocate (Criminal Side) appearing for the respondent police.

5. Having regard to the allegations made against the petitioner in the FIR and the facts and circumstances of the case, 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 No.II, Coimbatore**, 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,



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the petition for anticipatory bail shall stand dismissed and on further conditions

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 Aadhaar 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., 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 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 absconds, a fresh FIR can be registered under Section 229A IPC.

05.05.2023

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