



Crl.O.P.No.11362 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, 307 and 506(ii) of IPC in Crime No.77 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with another accused, in an inebriated condition, waylaid the defacto complainant, picked up a quarrel with him and during the quarrel, they have abused the defacto complainant in a filthy language and assaulted him with knife, resulting in him sustaining grievous injuries. Hence the case.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and the incident has happened during a drunken brawl. He would further submit the petitioner does not have any bad antecedents and hence, he prays for grant of anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl.Side) appearing for the respondent would submit that the petitioner along with another accused, in an inebriated condition, picked up a quarrel with the defacto complainant, abused and assaulted him with knife. He would further submit that the injured has been discharged from the hospital. He would also submit that there is no previous case pending against the petitioner. However, he vehemently opposed to grant bail to the petitioner.

5.Heard the learned counsel and perused the entire materials available on record including the First Information Report.

6.Taking into consideration the facts of the case and the submissions made by the learned counsel on either side 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 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 Judicial Magistrate No.I, Alandur, 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., 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;



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[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;

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