



Crl.O.P.No.12048 of 2023

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V.LAKSHMINARAYANAN, J.

The petitioners who apprehend arrest for the alleged offence punishable under Sections 294(b), 323 and 506(i) I.P.C., in Crime No.732 of 2022 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the defacto complainant is a sanitary worker in Kancheepuram District and while he was cleaning the garbage in the road, the petitioners stopped their vehicle and abused him in filthy language and also threatened him to move the garbage vehicle and to give way to their car. They have also caused injury in the hand. Hence, the law enforcing agency registered a case against the petitioners.

3.Learned counsel appearing for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution. Accordingly, prays for grant of anticipatory bail to the petitioners.

4.Learned Government Advocate (Crl side) submits that the petitioners have abused and attacked the defacto complainant who is a sanitary worker. Thereby, the victim got simple injury in the hand. Hence,



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he vehemently oppose for the grant of anticipatory bail to the petitioners.

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5.Considering the fact that the victim has suffered only simple injury, this Court is inclined to grant anticipatory bail to the petitioners.

6.Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned ***Judicial Magistrate-I, Kancheepuram***, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** each, 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 and on further condition that:

(a)the petitioners and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police daily at 10.30 a.m. for a period of four weeks and thereafter as and when required



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for interrogation;

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(c)the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d)the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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]***; and;

(f)if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

26.05.2023

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V.LAKSHMINARAYANAN, J.

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26.05.2023