



Crl.O.P.No.12576 of 2023

**Crl.O.P.No.12576 of 2023**

**A.D.JAGADISH CHANDIRA, J.**

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324, 506(ii) of IPC, in Crime No.120 of 2023, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is a handicapped person and he is running a petty shop. On 06.03.2023 at about 5.00 p.m., the petitioner along with other accused asked for Cigarette from the defacto complainant and when the defacto complainant, asked them to pay money, both the accused have attacked him with stones due to which, he sustained injuries. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent and he has been falsely implicated in this case since, the petitioner has got 2 previous cases against him. He further submitted that the petitioner has been granted bail in the previous cases. Hence, he prayed for grant of anticipatory bail to the petitioner.



Crl.O.P.No.12576 of 2023

WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the injured has been discharged from the hospital. However, he opposed for grant of 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 including the FIR.

6. Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and also of the fact that the victim 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 from the date on which the order copy made ready, before **the learned**



CrI.O.P.No.12576 of 2023

**District Munsif Cum Judicial Magistrate, Madhavaram**, 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 petitioners 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 stay at Neyveli and report before the Inspector of Police, Town Police Station, everyday at 10.30 a.m. for a period of four weeks and thereafter, 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.



WEB COPY



CrI.O.P.No.12576 of 2023

[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.

**07.06.2023**

ksa-2

**Copy to:**  
**Inspector of Police,**  
**Town Police Station, Neyveli.**



WEB COPY



Crl.O.P.No.12576 of 2023

**A.D.JAGADISH CHANDIRA, J.,**

ksa-2

Crl.O.P.No.12576 of 2023

07.06.2023