



Crl.O.P.No.12686 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 alleged offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC, in Crime No. 423 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that there arose a wordy quarrel between the defacto complainant and his brother in the street and when the same was questioned by the petitioner, as a result of which, the petitioner abused the defacto complainant in a filthy language and also assaulted him by hands and caused injuries to him. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. Therefore, he prays to grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) would submit



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that during a wordy quarrel, the petitioner is alleged to have attacked the defacto complainant by hands and caused injury. He further submitted that the injured has been discharged from the hospital. However, he vehemently opposed 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. Considering the above fact and circumstances of the case and also considering 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 Judicial Magistrate No.II, Ponneri** on condition that the petitioner shall



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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 stay at Chengalpet and report before the Chengalpet Town Police Station everyday at 10.30 a.m, for a period of two weeks and thereafter on every Saturday 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



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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.

12.06.2023

drl



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