



Crl.OP.No.13035 of 2023

A.D.JAGADISH CHANDIRA, J.

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The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323 and 387 of IPC in Crime No.114 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that as per the defacto complainant is that the petitioner along with other accused persons had waylaid the defacto complainant's younger son and asked to give the things and money from his bag. When he refused to do so, they abused and assaulted with knife and also threatened him. Hence, the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that the defacto complainant's father has assaulted the petitioner and a complaint has given by the petitioner in Cr.No.133 of 2023 and a case has been registered against the father of the defacto complainant. He would further submit that the co-accused was released on bail by this Court vide order dated 13.03.2023 in Crl.OP.No.5654 of 2023. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that the petitioner along with other accused persons had waylaid the defacto complainant's younger son and asked to give the things and money from his bag. When he refused to do so, they abused and assaulted with knife and also threatened him. It is a case and case in counter. However, he would vehemently oppose to grant anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on records including the FIR.

6. Taking into consideration the facts and circumstances of the case, and the submissions made by both counsel and also taking note of the fact that it is a case and case in counter and the co-accused enlarged on anticipatory bail, 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-II, Coimbatore*** 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/trial Court 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 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] 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, as laid down by the



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Hon'ble Supreme Court in *P.K.Shaji Vs. State of Kerala*
[(2005) AIR SCW 5560]; and;

[f] if the petitioner herein thereafter absconds, a fresh
FIR can be registered under Section 229-A IPC.

Vv

13.06.2023



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A.D.JAGADISH CHANDIRA, J.

Vv

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