



Crl.O.P.No.14262 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 341, 294(b), 323, 324 & 506(ii) of IPC in Crime No.536 of 2022, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that on 17.11.2022, the petitioner has Picked up quarrel with the defacto complainant in respect of supply of water can in the locality due to which wordy quarrel arose between them. The petitioner along with others abused and assaulted the defacto complainant, thereby causing simple injuries. Hence the complaint.

3. The learned counsel for the petitioner would submit that the Petitioner is a third year student in a College studying B.A.,degree and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He would further submit that this court has already granted anticipatory bail to the petitioner in



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Crl.O.P.No.30122 of 2022 dated 06.12.2022 with certain conditions.

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Since, the petitioner met with an accident, he was unable to furnish the sureties within the stipulated time, the earlier order got lapsed. Hence, he has filed this petition for grant of anticipatory bail to the petitioner.

4.The learned Government Advocate (Crl.Side) has submitted that the injured has been discharged from the hospital. However, he would submit that this court has already granted anticipatory bail to the petitioner with certain conditions and the petitioner failed to comply with the same. Hence, he opposed to grant anticipatory bail to the petitioner.

5. Taking into account that now, the petitioner is ready to execute the sureties before the court concerned and that the injured has also been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on



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anticipatory bail in the event of arrest or on his appearance, within a period of fifteen days from the date of receipt of a copy of this order, before the learned X Metropolitan Magistrate, Egmore, Chennai -8, 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 and on further conditions 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 concerned Magistrate on every Wednesday for a period of four weeks and thereafter on all hearing dates without fail;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

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[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.

27.06.2023

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