



Crl.O.P.No.14904 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Sections 147, 341, 294 (b), 353 & 506 (1) IPC, in Crime No.543 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. It is the submission of the learned counsel for the petitioner that petitioner is not a named accused in Crime No.543 of 2023, registered for the offences under Sections 147, 341, 294 (b), 353 & 506 (1)IPC. However, petitioner is apprehending arrest at the hands of the respondent and therefore this petition.

3. In response, the learned Government Advocate (Crl.Side) submitted that police party visited the house of K.R.Venkatesan, who is the accused in crime No.542 of 2023. The accused in this case had prevented the police party from arresting K.R.Venkatesan and used filthy language against the police. Therefore, FIR was registered. Subsequently, K.R.Venkatesan was arrested.



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4.Considering the nature of the allegations made in the FIR and that even after one month is over, no steps has been taken to arrest the other accused in this case and also the fact that petitioner's name is not found in FIR, this Court is inclined to grant anticipatory bail to the petitioner. Therefore, 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, Ponneri**, 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 may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.



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[b] the petitioner shall 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.

[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.

10.07.2023

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