



Crl.O.P.No.15455 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 294 (b), 323, 324 & 506 (2) IPC, in Crime No.176 of 2023, on the file of the respondent police, seeks anticipatory bail.

2.Learned counsel for the petitioner submitted that petitioner is an innocent and he has been falsely implicated in this case. He further submitted that a counter case in Crime No.177 of 2022 has been registered against the defacto complainant on the basis of the complaint given by the petitioner. Thus, he prayed for anticipatory bail for the petitioner.

3. In response, the learned Government Advocate (Crl.Side) opposed this petition and submitted that there is previous enmity between the accused and the defacto complainant in connection with money transaction. On 30.05.2023, at about 7.00 p.m., near Kalpattu Erikarai Bridge, accused had started attacking him with Aruval and Iron rod. As



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a result, defacto complainant suffered injuries. After treatment, he was discharged from the hospital.

4.Considering the nature of the allegations made against the petitioner and the fact that counter cases are registered and that the injured had been discharged from hospital, this Court is of the view that custodial interrogation of the petitioner is not necessary and 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 - I, Villupuram**, 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:



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[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 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].



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[f] If the accused thereafter absconds, a fresh
FIR can be registered under Section 229A IPC.

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