



Crl.O.P.No.15221 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 324 and 506(2) IPC in Crime No.14 of 2021 on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that, petitioner is an accused in Crime No.14 of 2021 for the offences under Sections 294(b), 323, 324 and 506(2) IPC. Petitioner is the son of defacto complainant. In an inebriated condition, petitioner hit his father with a hammer and caused injuries. Parties are willing to compromise the issue between them. Apprehending arrest at the hands of the respondent police, this petition is filed.

3. Learned Government Advocate (Criminal side), opposes on the ground that, on 16.01.2021, at 5.30 a.m., petitioner had hammered his father at his head and caused blunt injuries. He was treated as in-patient and discharged from the hospital. Therefore, he seeks dismissal of this petition.



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4. Considering the nature of allegations made against the petitioner and that injured had been discharged from the hospital and also considering the relationship between the parties, this Court is of the view that, custodial interrogation of the petitioner is not necessary and 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 Cheyyar Court, Thiruvannamalai District**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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.

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