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Crl.O.P.No.15350 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 147, 148, 341, 294(b), 307 & 506(ii) of IPC in Crime No.12 of 2023 on the file of the respondent police, seek anticipatory bail.

2. Learned counsel for the petitioner submitted that, petitioner is falsely implicated in Crime No.12 of 2023 for the offences under Sections 147, 148, 341, 294(b), 307 & 506(ii) of IPC with regard to a dispute between the petitioner and the defacto complainant. Petitioner is an innocent person and thus, he prays for granting anticipatory bail to the petitioner.

3. Learned Government Advocate (Criminal side) opposed this petition, on the ground that, due to previous enmity, the petitioner along with five other accused, attacked the defacto complainant and his friend Sudhan with knife due to which, they sustained injuries on their heads.



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However, he would submit that the injured have been discharged from the hospital.

4. Considered the submissions and perused the records.

5. In the nature of the offence and facts of the case and the fact that, injured have been discharged from the hospital, 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 Judicial Magistrate No.II, Alandur** on condition that the petitioners 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



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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.

[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



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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.

13.07.2023

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