



Crl.O.P.No.15422 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, and 506(2) IPC in Crime No.198 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that, petitioner is falsely implicated in Crime No.198 of 2023 for the offences under Sections 294(b), 323, and 506(2) IPC. Petitioner is innocent. 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 17.06.2023, at about 16.00 hours, defacto complainant had parked his Auto, in front of accused's Car bearing No.KA 51 MS 5619. The accused had pressed horn for taking the Auto. Defacto complainant told him to wait for 5 minutes and came to move the Auto. At that time, accused abused the defacto complainant in filthy



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language and started attacking him with hands and iron rod. As a result, he suffered injuries. He further submitted that, injured had been discharged. Therefore, he seeks dismissal of this petition.

4. Considering the nature of allegations made against the petitioner and that injured had 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, Hosur, Krishnagiri 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:



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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.

14.07.2023

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