



Crl.O.P.No.15734 of 2023

Crl.O.P.No.15734 of 2023

G.CHANDRASEKHARAN. J.

The petitioner namely Ganesan who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 324, 506(ii) of IPC in Crime No.154 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that, petitioner is innocent and he has been falsely implicated in a case registered for the alleged offences under Sections 294(b), 324, 506(ii) of IPC in Crime No.154 of 2023. Apprehending arrest, this petition is filed.

3. In response, learned Government Advocate (Crl. Side) submitted that, there is a dispute between the petitioner and the defacto complainant with regard to drawing water in a common well. On 16.06.2023 at about 02.00.p.m., when the defacto complainant's relative Chithra tried to take water from the common well, petitioner had abused her in filthy language. When defacto complainant questioned him, she was attacked with wooden log with death threat. Injured victim has been discharged from the hospital



Crl.O.P.No.15734 of 2023

4. Considering the nature, facts and circumstances of the case and the injured victim has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner for the reason that custodial interrogation of the petitioner is not necessary.

5. Accordingly, 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, Dharapuram, Tiruppur 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 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.



CrI.O.P.No.15734 of 2023

[b] the petitioner shall report before the respondent police daily at 10.30.a.m., until further orders.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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.

20.07.2023

sma



WEB COPY



Crl.O.P.No.15734 of 2023

G.CHANDRASEKHARAN. J.

sma

Crl.O.P.No.15734 of 2023

20.07.2023