



WEB COPY



Crl.O.P.No.15707 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 279, 337, 294(b), 353, 332 and 506(i) of IPC in Crime No.163 of 2023** on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated in this case. Apprehending arrest in Crime No.163 of 2023 registered for the offences under Sections 279, 337, 294(b), 353, 332 and 506(i) of IPC, this petition is filed by the petitioner.

3. In response, learned Government Advocate (Criminal side) submitted that *de-facto* complainant is working in Forest Department. On 30.06.2023, at 06.00 p.m., there was an accident in Javalagiri to Pallanathottapalli road junction involving a two wheeler bearing No.TN 70 AM 1758 and four wheeler bearing No.KA 03 MP 6159. As a result, Samuraj, the rider of the two



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wheeler sustained injuries. On hearing about the accident, *de-facto* complainant and other officials went to the spot and enquired. At that time, the accused in this case had scolded the *de-facto* complainant in filthy language and beaten him. The injured is discharged from the hospital. Hence, he opposed for grant of anticipatory bail to the petitioner.

4. Considering the nature of the incident and the fact that the injured has been discharged from the hospital, this Court is of the view that, custodial interrogation of the petitioner is not necessary. 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, Denkanikottai**, 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



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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 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.

**19.07.2023**

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