



Crl.O.P.No.16400 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offence under Section 294 (b), 323, 324, 506 (2) and 307 I.P.C in Crime No.145 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.It is the submission of learned counsel for the petitioner that petitioner is falsely implicated as accused in Cr.No.145 of 2023 registered for the offences under Section 294 (b), 323, 324, 506 (2) and 307 I.P.C. Apprehending arrest, this petition is filed seeking anticipatory bail.

3.In response, the learned counsel Government Advocate (Criminal side) submitted that defacto-complainant was working in a juice shop of Selvakumar. On 25.05.2023, at about 7.00 p.m., defacto-complainant, Kathick, Dass, another Karthik and Elumalai were in their shop. At about 00.30 hours on 26.05.2023, one person was speaking in abusive language in front of the shop. When defacto-complainant and



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Karthik asked why he was shouting like that along with owner Selvakumar, he left the place. At about 2.45 a.m. he came with two more persons and stabbed defacto-complainant with soori knife. Other two persons had beaten him with hands. Selvakumar was also stabbed by first accused. First accused was arrested and released on bail. Injured had been discharged. Petitioner has no previous case pending.

4.Considered the rival submissions and perused the records.

5.In the facts obtained in the case, that the allegation against the petitioner that he had used only his hands in attacking the defacto-complainant and that first accused was arrested and released on bail, and that injured had been discharged, this Court is of the view that custodial interrogation of the petitioner is not necessary. Thus, this Court is inclined to grant anticipatory bail to the petitioner. 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 Judicial Magistrate Court No.1,**



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Vellore, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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.

[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].

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[f] If the accused thereafter absconds, a fresh FIR can be registered
under Section 229A IPC.

27.07.2023

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