



Crl.O.P.No.16538 of 2023

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G.CHANDRASEKHARAN. J.

The petitioner namely Jayavel, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 341, 294(b), 354, 323, 324 and 506(i) of IPC in Crime No.336 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The learned counsel for the petitioner submitted that, petitioner is an innocent person and he has been falsely implicated in this case. Apprehending arrest, this petition is filed.

3. In response, learned Government Advocate (Crl. Side) submitted that, due to path way dispute, on 30.05.2023 at about 04.30.p.m., petitioner had abused the defacto complainant in filthy language and also assaulted using knife. As a result, defacto complainant sustained simple injuries.

4. Considering the nature, facts and circumstances of the case and in the alleged incident, defacto complainant had sustained simple injuries and that material part of the investigation might have been over



Crl.O.P.No.16538 of 2023

by this time, this Court is inclined to grant anticipatory bail to the petitioner for the reason that, custodial interrogation of the petitioner is not necessary in this case.

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, Omalur** 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 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.



Crl.O.P.No.16538 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 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].

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

28.07.2023

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