



Crl.O.P.No.17148 of 2023

Crl.O.P.No.17148 of 2023

RMT.TEEKAA RAMAN, J.

The petitioner/A7, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294(b), 307, 323 and 506(ii) of IPC, in Crime No.234 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution as per the defacto complainant/ Devadoss, who is working as a Car Driver is that on 22.06.2023, due to previous enmity between his brother's son and the accused persons, accused persons trespassed into the house of the defacto complainant and ask about his brother's son and beaten him. Hence the compliant.

3.The learned counsel for the petitioner submitted that the petitioner is studying Law in Saraswathi Law College, Villupuram and he finished his studies and awaiting for his result. He further submitted that the co-accused in this case has already been released on bail and the petitioner is no way connected to all those allegations. Hence, he prays



Crl.O.P.No.17148 of 2023

WEB COPY

for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that the co-accused released in this case has already been released on bail and the nature of injury sustained to the victim is simple in nature. Therefore, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and the submissions made by the learned counsel on either side and also of the fact that the injury sustained by the defacto complainant is simple in nature and the co-accused in this case has already been enlarged on bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail



CrI.O.P.No.17148 of 2023

WEB COPY

in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Principal Sessions Judge, Villupuram**, on condition that the petitioners shall execute a separate 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



WEB COPY



CrI.O.P.No.17148 of 2023

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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

07.08.2023

nvi



WEB COPY



Crl.O.P.No.17148 of 2023

RMT.TEEKAA RAMAN, J.

nvi

Crl.O.P.No.17148 of 2023

07.08.2023