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Crl.O.P.No.16960 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 294(b), 332 and 506(i) of IPC in Crime No.162 of 2023** on the file of the respondent police, seeks anticipatory bail.

2. Learned counsel for the petitioner submitted that, petitioner is falsely implicated in Crime No.162 of 2023 registered for the offences under Sections 294(b), 332 and 506(i) of IPC. Apprehending arrest, this petition is filed by the petitioner.

3. In response, learned Government Advocate (Crl.side) submitted that *de-facto* complainant is the conductor of the bus bearing No.TN 38 N 2760. On 15.07.2023 night, while he was working in the bus travelling from Devanoor Pudhur towards Pollachi, and when the bus was travelling near S.Chandrapuram Vinayakar Temple, there was a tap on the bus. *De-facto* complainant saw three persons taking alcohol. He and the driver got down and went towards them. Two persons escaped from there and



Crl.O.P.No.16960 of 2023

one person hit the *de-facto* complainant on his nose and threatened to set the bus on fire.

4. Considering the nature of the allegations made in the FIR and that injured was treated and discharged from the hospital, this court is of the view that custodial interrogation of the petitioner is not necessary. 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.II, Pollachi**, 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



Crl.O.P.No.16960 of 2023

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].

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

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