



Crl.O.P.No.17604 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner/sole accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No.151 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on 08.07.2023, one Vasu-defacto complainant has given a statement before the respondent police stating that on 06.07.2023 at about 5.15pm that the petitioner waylaid and by using filthy language, attacked with hands on his the face and hence, the complaint.

3.The learned counsel for the petitioner would submit the petitioner is an innocent person and due to previous enmity, he has been falsely implicated in this case. He further submitted that the injured has been discharged. Therefore, he prays for grant of bail to the petitioner.



4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that both the petitioner and the defacto complainant belonged to same native place and the defacto complainant used to give Rs.50/- to Rs.100/- to the petitioner and on that day, the petitioner had demanded Rs.3,000/-, when refused, the petitioner assaulted him with wooden log and a case-in-counter has been registered in Crime No.152 of 2023. Learned Government Advocate further submitted that the injured got discharged, however, he vehemently opposed for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts and submissions of the learned Counsel and also the fact that a case-in counter has been registered in Crime No.152 of 2023 and also that the injured has been discharged, this Court is inclined to grant anticipatory bail to the petitioner subject to certain conditions.

6.Accordingly, 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 No.I, Mettur, Salem**, on condition that the



petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 daily at 10.30 a.m., for a period of four weeks and thereafter, as and when required for interrogation.

[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



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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;

08.08.2023

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