



Crl.O.P.No.17711 of 2023

RMT.TEEKAA RAMAN, J.

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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.163 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that on 12.07.2023, due to wordy quarrel in the family, the petitioner attacked his brother-defacto complainant and other family members with iron rod and threatened them with dire consequences, hence the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner was attacked by the defacto complainant and other family members and thus, he has lodged a complaint against the defacto complainant and the same is registered as Crime No.164 of 2023 and that the injured in this case has been discharged. Therefore, he prays for grant of bail to the petitioner.



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4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that both the petitioner and the defacto complainant are brothers and due to family dispute, there was physical assault, resulting in case-in-counter. Both parties got injured and are discharged from the hospital and the learned Government Advocate (Crl.Side) 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.164 of 2023 and also that the injured have 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, Jayakondam, Ariyalur District**, 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 three 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 by the learned Magistrate/Trial Court himself as laid



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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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