



Crl.O.P.No.19414 of 2023

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G. CHANDRASEKHARAN, J.,

The petitioner namely Raghu @ Raguvaran, who apprehends arrest at the hands of the respondent police for the offences under Sections 294(b), 323, 324, 506(ii) of IPC in Crime No.136 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. The learned Additional Public Prosecutor submitted that, there is a previous enmity between the defacto complainant and accused. As a result, on 21.06.2023 at about 08.30.p.m., when the defacto complainant was walking near Thammampatti Udayarpalayam SBI Bank, petitioner Raghu along with other accused had scolded the defacto complainant in filthy language and also stabbed with knife. As a result, he suffered grievous injuries. Hence, he opposed for grant of bail to the petitioner.

4. Considered the rival submissions and perused the records.



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5. This is the second bail petition. The earlier anticipatory bail petition filed by the petitioner in Crl.O.P.No.15826 of 2023 was dismissed by an order passed by this Court on 20.07.2023, considering the grievous injuries sustained by the defacto complainant. Despite the dismissal of the first anticipatory bail petition, the respondent police had not taken any steps to arrest the petitioner.

6. Taking into consideration the facts of the case and to take the case to the next level and that the participation of the petitioner in the investigation is necessary, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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 No.II, Attur** on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)**



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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 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., until further orders

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness 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



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can be registered under Section 229A IPC.

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