



Crl.O.P.No.22180 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 147, 294(b), 323, 324, 427, 307 and 506(2) of IPC in Crime No. 225 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. It is the submission of the learned counsel for the petitioner that, the petitioner had been falsely implicated as 2nd accused in Crime No.225 of 2023 registered for the offences under Sections 147, 294(b), 323, 324, 427, 307 and 506(2) of IPC. A1, A3, A4, A6 and A8 were granted bail and the injured had been discharged from the hospital. The Petitioner has not committed any offence as alleged in the first information report. Thus, he prays for grant of anticipatory bail to the petitioner.

3. The case of the prosecution is that, when the accused persons were near the lake, the defacto complainant approached them and enquired about the sale of drugs to the general public. It is stated that the accused persons assaulted the defacto complainant. It is also contended that some of the accused had been arrested by the respondent police and released on bail. The injured defacto complainant had been discharged from the hospital.



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4. Taking an over all consideration of the entire issue, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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 V, Coimbatore**, on condition that the petitioner shall execute a 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, daily at 10.30 a.m., until further orders;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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[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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