



Crl.O.P.No.22686 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 452, 427, 294(b), 323, 324 & 506(ii) of I.P.C altered as Sections 147, 148, 452, 427, 294(b), 323, 324, 506(ii) & 307 of I.P.C, in Crime No.631 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is a member of a Chinnamma Peravai. On 19.08.2023, to celebrate the birthday of a party leader Tmt.Sasikala) the de-facto complainant had pasted posters on the shutters of the salon shop of one Arumugam and who had torn those posters. The de-facto complainant had entered into a wordy quarrel with him. On hearing the wordy quarrel, A1 came to the shop. Subsequently the de-facto complainant and A1 entered into a wordy quarrel and A1 along with other co-accused went to the de-facto complainant's house and attacked him with Aaruval and caused injury. Hence the case.



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3. The learned Counsel for the petitioner would submit that the petitioner is an innocent person and due to wordy quarrel regarding pasted the posters, a false complaint has been given against him. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that due to wordy quarrel regarding pasting of posters, A1 along with other co-accused went to the de-facto complainant's house and attacked him with Aaruval and caused injury. The injured had been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the FIR.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel on either side and



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the co-accused already arrested and released on bail and also of the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner.

7. 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.2, Tiruppur**, on condition that the petitioner shall execute a separate 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.



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[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 abscond, a fresh FIR can be registered under Section 229A IPC.

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