



Crl.O.P.No.22530 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner who apprehends arrest at the hands of the respondent police for alleged offences under Sections 294(b), 323, 324 and 506(2) of IPC in Crime No.430 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 has been falsely implicated as 2nd accused in this case in Crime No.430 of 2023 for the offences under Sections 294(b), 323, 324 and 506(2) of IPC. It was alleged that some persons were unnecessarily roaming and hence the defacto complainant had taken photographs of their two wheeler and when it was questioned, there was a quarrel between the parties. 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. In response, learned Government Advocate (Criminal side) submitted that, the defacto complainant had taken photographs of two



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wheelers of the accused persons. Angered by that, the accused had assaulted the defacto complainant. It is also stated that subsequently, the defacto complainant was discharged from the hospital. A1 was arrested by the respondent police and granted bail. However, he prays for dismissal of this petition.

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-II, Tiruvannamalai**, 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:



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[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;

[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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