



Crl.O.P.No.23981 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 294(b), 341, 342, 323 and 506(1) of IPC in Crime No.151 of 2023, seeks anticipatory bail.

2.Even before proceeding further, this petition stands dismissed as against the 1st petitioner/A1 who had been taken into custody on 01.10.2023 and it is informed that he had been granted bail subsequently.

3.The 2nd petitioner is ranked as A5. He seeks anticipatory bail with respect to the occurrence which took place on 14.09.2023. It is stated that there was a dispute between the defacto complainant and the petitioners and owing to that, it is stated that the defacto complainant had broken the 1st petitioner's car mirror, which led to further quarrel and escalated into violence, leading to lodging of complaint and registration of First Information Report.

4.Taking all these factors into consideration, this Court is inclined



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to grant anticipatory bail to the 2nd petitioner and dismissed as against the 1st petitioner herein, who had been taken into custody on 01.10.2023 and had been granted bail subsequently.

5. Accordingly, the 2nd 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, Vedaraniyam, Nagapattinam District, on condition that the 2nd 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 2nd 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 2nd petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two



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weeks and thereafter as and when required for interrogation.

[c] the 2nd petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the 2nd 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 2nd petitioner in accordance with law as if the conditions have been imposed and the 2nd 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.

01.11.2023

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