



CrI.O.P.No.23926 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 448,294(b),323,324,506(ii) of IPC in Crime No.202 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a driver of a lorry and he refused to give way to the motorcycle of the petitioner herein, there was a wordy quarrel between the Defacto-complainant and this petitioner, after that the petitioner and other accused person waylaid the defacto-complainant and attacked him used with rod. Hence, the complaint.

3. The learned counsel for the petitioner stated that this petitioner has arrayed as Accused No.2. The petitioner is an innocent person and he has not committed any offence as alleged by the respondent. Accused No.1 had already granted Anticipatory Bail. He further stated that the injured had discharged from the hospital. Hence, he



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prays for grant of anticipatory bail.

4. It is stated by the learned Government Advocate (Criminal Side) that this petitioner and other accused was attacked the defacto-complainant and attacked him with a rad and the defacto-complainant sustained severe injury and admitted in the hospital and later discharged. Hence, he vehemently opposed to grant of Anticipatory Bail to the petitioner.

5. Taking into consideration, this Court is inclined to grant anticipatory bail to the petitioner herein with certain conditions.

6. 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 **District Munsif cum Judicial Magistrate Court, Gummidipoondi**, 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



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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 appear before the respondent police daily at 10.30 a.m., for the period of two weeks and thereafter as and when required.

[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]**.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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