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Crl.O.P.No.24914 of 2023

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R. KALAIMATHI, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No.622 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused assaulted the defacto complainant with hand and bottle for which the defacto complainant sustained grievous injuries. Hence, the complaint

3. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.24914 of 2023

WEB COPY

4.The learned Government Advocate (Crl., Side) would submit that totally there are seven accused in this case. The petitioner/A1 along with other accused persons had assaulted the defacto complainant with bottle and hand thereby, the defacto complainant sustained grievous injuries on his head and nose. He would submit that the injured has been discharged from the hospital on 16.10.2023. However, he opposed to grant anticipatory bail to the petitioner.

5. Considering the facts, nature and circumstances of the case that the injured victim has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner for the reason that, custodial interrogation of the petitioner is not necessary in this case.

6. Accordingly, 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 Metropolitan Magistrate Court-XV, Chennai** 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



CrI.O.P.No.24914 of 2023

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 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].



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Crl.O.P.No.24914 of 2023

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nr/nti

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

26.10.2023

nr/nti

Crl.O.P.No.24914 of 2023