



Crl.O.P.No.26559 of 2023

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C.V.KARTHIKEYAN, J.

Petitioner/accused in Crime No.577 of 2023, registered under Sections 294(b), 323, 506(ii) IPC, r/w Section 4 of TNPHW Act, seeks anticipatory bail.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent.

3.It is the case of the prosecution that the de facto complainant is running a petty shop and the petitioner herein had demanded Tobacco and when she stated that she does not sell the same, a quarrel arose leading to violence.

4. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioner/Accused with certain conditions.

5.Accordingly, the petitioner/Accused 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, Thiruvottiyur**, 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



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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.

[b] the petitioner to appear before the respondent police **every day at 10.30 a.m**, for a period of **two weeks and thereafter** as and when required for interrogation.

[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



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petitioners 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;

30.11.2023

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