



Crl.O.P.No.26885 of 2023

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C.V.KARTHIKEYAN, J.

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The petitioner/A1 in Crime No.516 of 2023, registered under Sections 294(b), 323, 324, 341 and 506(ii) IPC, with reference to an occurrence which took place on 2.11.2023 seeks anticipatory bail. There is yet another accused/A2 who could not be identified.

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

3.It is stated that the de facto complainant while crossing the road, was waylaid by the petitioner and the 2nd accused and attacked with hands. The learned counsel for the petitioner stated that there was an existing pathway dispute. On side of the respondent, it is stated that the petitioner and the other accused were under the influence of alcohol. However, taking all the factors taking into consideration, anticipatory bail is granted.

4. Taking into consideration the facts and circumstances, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:

5. Accordingly, the petitioner/A1 is ordered to be released on bail in



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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, Omalur**, 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:

[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 his Aadhar card or Bank pass Book to ensure their identity.

[b] the **petitioner/A1 to appear before the respondent police every day at 10.30 am.**, 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



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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.

28.11.2023

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28.11.2023