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CrI.O.P.No.26888 of 2023

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**C.V.KARTHIKEYAN, J.**

The petitioner seeks anticipatory bail in Crime No.363 of 2023 registered by the respondent Police for the offences under Sections 294(b), 323 and 506(i) IPC.

2.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side).

3.The learned Government Advocate (Criminal side) stated that the defacto complainant was running a fruit shop and at around 10 p.m., on 05.11.2023, the petitioner had gone over to buy fruits, at that time, the defacto complainant was closing the shop. This led to a quarrel which escalated into violence. The defacto complainant took treatment at private hospital and after being discharged from the hospital, he gave complaint. It is stated that the defacto complainant suffered nasal bone fracture. There are three previous cases pending against the petitioner.



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4. Taking into consideration of all the factors and the fact that the petitioner stated that this is a false complaint, without entering into any further discussion, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. 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 V Metropolitan Magistrate Court, Egmore, 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 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 daily at 10.00.a.m., until further orders.**



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[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]**;

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

28.11.2023

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**C.V.KARTHIKEYAN, J.**



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