



Crl.OP.No.27798 of 2023

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C.V.KARTHIKEYAN, J.

The petitioner/A1 in Crime No.254 of 2023, registered under Sections 294(b), 324, 506(ii) and 307 IPC, seeks anticipatory bail.

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

3.It is stated that A2 had been arrested and granted bail. It is the case of the prosecution that the petitioner and the other accused had assaulted the brother of the de facto complainant, and he was taken to hospital. But, subsequently he was discharged from hospital. The learned counsel for the petitioner however stated that the brother of the de facto complainant harassed the wife of the petitioner over phone and this led to a quarrel which escalated into violence leading to lodging of complaint and registration of FIR. Taking all the factors into consideration, anticipatory bail is granted.

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



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5. Accordingly, the petitioner/A1 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 **District Munsif Cum Judicial Magistrate, Kurinjipadi**, 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/A1 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;



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[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 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;

18.12.2023

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