



Crl.O.P.No.28993 of 2023

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P.DHANABAL, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 332 and 506(ii) IPC @ 147, 294(b), 332, 353 and 506(ii) of IPC in Crime No.964 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that, *de-facto* complainant/Packirisamy, who is working as a Conductor in Tamil Nadu State Transport Corporation, Thiruthuraipoondi Depot lodged a complaint against the petitioner and other accused alleging that, on 13.12.2023 at about 17.10 hrs, when he was on his duty in Route401P – from Thiruthuraipoondi to Tirukkollikkadu, petitioner along with other accused picked up a quarrel with the co-passengers. When the *de-facto* complainant tried to intervene them, petitioner along with other accused punched him on his face. They had also threatened to do away him by throwing stones. Hence the case.

3.The learned counsel for the petitioner would contend that the



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petitioner is innocent and a false case has been foisted against him.

Hence he seeks anticipatory bail.

4.The learned Government Advocate (Crl.side) would submit that the petitioner along with other accused picked up a quarrel with the co-passengers in a bus. When the *de-facto* complainant, who is the Conductor of the bus tried to intervene them, petitioner along with other accused punched him on his face. They had also threatened to do away him by throwing stones. The injured has been hospitalized and then discharged. Hence, he objected to grant anticipatory bail to the petitioner.

5.Heard both side and perused the materials available on record.

6.Considering the fact the injured has been discharged from the hospital and considering the nature of offence, this Court is inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. 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**



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Judicial Magistrate, Thiruthuraipoondi 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 Inspector of Police, Thiruvarur Town Police Station, Thiruvarur daily at 10.30 a.m., for a period of thirty days and thereafter as and when required for interrogation.

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.



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[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.

28.12.2023

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