



Crl.O.P.No.29022 of 2023

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P.DHANABAL, J.

The petitioner/accused-1, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(2) IPC in Crime No.1023 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that, on 09.12.2023, at about 08.30 a.m., due to previous enmity, the petitioner came to the *de-facto* complainant's house, attacked him with a knife and also threatened him with dire consequences. Hence the case.

3.The learned counsel for the petitioner would contend that the 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 due to previous enmity, the petitioner came to the *de-facto* complainant's house, attacked him with a knife and also threatened him



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with dire consequences. The injured has been hospitalized for five days and discharged from the hospital. He further submitted that there are two previous cases pending against the petitioner. Hence, he objected to grant anticipatory bail to the petitioner.

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

6.Considering the rival submissions on either side and considering the fact that the injured has been discharged from the hospital and also considering the fact that except 506(ii) of IPC, other offences are bailable in nature, 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 Judicial Magistrate, Arni, Tiruvannamalai District** on condition that



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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 10.30 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.

[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 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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