



Crl.OP.No.779 of 2024

Crl.O.P.No.779 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner/accused in Crime No.8 of 2024 registered by the respondent police for the offences punishable under Sections 143, 294(b), 323, 379 and 506(ii) of IPC seeks anticipatory bail .

2. It is stated that there was an illegal transportation of lake sand through a Tipper lorry which was questioned by the defacto complainant. The petitioner is said to be owner of the said lorry and later he had come back with the other accused and attacked the defacto complainant necessitating registration of FIR for the offences under Sections 143, 294(b), 323, 379 and 506(ii) of IPC.

3. It is stated by the learned Government Advocate (Crl.Side) that the petitioner herein had also given a counter complaint which was initially registered as FIR in Cr.No.9 of 2024 but subsequently closed as mistake of fact. It is also stated that this petitioner has some influence in the said area and therefore, it is urged that he should stay away from that



place atleast for some time.

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4. Taking that factor into consideration, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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 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, 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 stay at Nagapattinam and report before the Velipalayam Nagapattinam Town Police Station-2, Nagapattinam



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everyday at 10.30 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.

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