



CrI.OP.No.3592 of 2024

CrI.O.P.No.3592 of 2024

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C.V.KARTHIKEYAN,J.

The petitioner/accused in Crime No.63 of 2024 registered by the respondent police for the offences punishable under Sections 294(b), 323 and 506(ii) of IPC seeks anticipatory bail .

2. It is stated that the petitioner and the defacto complainant are both daily workers doing painting work. It is stated that the petitioner came drunk on one day and it was informed to the contractor who removed the petitioner. This led to a quarrel which escalated into violence.

3. Taking all the factors into consideration, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:



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4. 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, Dharapuram* 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 report before the respondent police everyday at 10.30 a.m., for a period of one week 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



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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.

5. The respondent may also issue a notice to the defacto complainant and also to the Contractor. If the petitioner expresses regret, and if there is vacancy, the Contractor may take back the petitioner to work.

6. With the above directions, this Criminal Original Petition is ordered.

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