



WEB COPY



Crl.O.P.No.6293 of 2024

Crl.O.P.No.6293 of 2024

C.V.KARTHIKEYAN, J.

The petitioner/A1 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 324, 307, 506(ii) of Indian Penal Code, 1860 in Crime No.403 of 2023, seeks anticipatory bail.

2.The learned counsel for the petitioner stated that the petitioner is arrayed as A1. The petitioner is an innocent person and he has been falsely implicated in this case. Thus, he seeks anticipatory bail to the petitioner.

3.It is stated by the learned Government Advocate (Crl. Side) that the defacto complainant, who is the wife of the victim had given a complaint that the accused had abused both the defacto complainant and her husband using filthy language and assaulted her husband with a knife



Crl.O.P.No.6293 of 2024

on his head and threatened them with dire consequences. It is also stated that the second and third accused had been arrested and taken into custody. Thus, he prayed for dismissal of this petition.

4.Earlier application seeking anticipatory bail was dismissed on 17.10.2023 in Crl.O.P.No.23079 of 2023.

5.It is stated that subsequently, A2, A3 and A4 had been arrested and had been granted bail. That is a significant change in circumstance.

6.Taking that factor into consideration, this Court is inclined to grant anticipatory bail to to the petitioner with certain conditions.

7.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 – I, Ponneri, on condition that the petitioner shall



Crl.O.P.No.6293 of 2024

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 everyday at 10.30 a.m., until further orders.

[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]**.



WEB COPY



Crl.O.P.No.6293 of 2024

C.V.KARTHIKEYAN, J.

smv

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

15.03.2024

smv

Crl.O.P.No.6293 of 2024