



Crl.O.P.No.9094 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 342, 324 and 506(ii) of IPC, in Crime No.155 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are close relatives. While so, on 11.03.2024, during the feast there was a wordy quarrel between the petitioners and the defacto complainant, for which the petitioner assaulted the defacto complainant with deadly weapons. Hence, the complaint.

3. Learned counsel appearing for the petitioner submitted that the petitioner is in no way connected with the alleged offence as alleged by the prosecution. He further submits that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that due to wordy quarrel between the petitioner and the defacto complainant due to which, the petitioner attacked the defacto complainant with deadly weapons. He further submits that the petitioner has three previous cases pending against him. Hence, he vehemently opposed for the grant of anticipatory bail to the petitioner.

5. Taking into consideration the facts and the submissions made by both counsels and also the fact that the petitioner without prejudice to his rights is volunteered to deposit a sum of Rs.20,000/- to the credit of the CrimeNumber, this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on anticipatory 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 Court No.V, Salem**, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten



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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 shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Crime No.155 of 2024 before the learned Judicial Magistrate Court No.V, Salem, within a period of three weeks from the date of receipt of a copy of this order and on such deposit, the de-facto complainant is permitted to withdraw the same, on filing undertaking affidavit and proper identification and acknowledgment;

[b] 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;

[c] the petitioner shall stay at Cuddalore and report before the Cuddalore Town Police Station every day at 10.30 a.m. for a period of two months;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;



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[e] the petitioner shall not abscond either during investigation or trial;

[f] 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]**;

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

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15.04.2024

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