



Crl.O.P.No.9144 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 341, 294(b), 323, 324, 506(ii) of IPC, in Crime No.69 of 2024, seek anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused person had waylaid the defacto complainant for demanding the previous credit of Rs.8,000, due to which the wordy quarrel arose between the petitioner and the defacto complainant, in which the petitioner along with other accused persons have assaulted the defacto complainant with their hands and helmet causing injury to him. 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



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condition that may be imposed by this Court. Hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that due to wordy quarrel between the petitioner and the defacto complainant with regard to borrowing of money, due to which, the petitioner attacked the defacto complainant with helmet causing injury to him. He further submits that the injured has been discharged from the hospital. 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 and willing to deposit a sum of Rs.10,000/- to the credit of the Crime Number to show his bonafide, this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.



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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 XVI Metropolitan Magistrate, George Town**, 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 shall deposit a sum of Rs.10,000/- to the credit of Crime No.69 of 2024 before the learned XVI Metropolitan Magistrate, George Town, within a period of two 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;



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[c] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m. for a period of three months and thereafter as and when required for interrogation.

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

[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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