



CrI.O.P.No.11237 of 2024

CrI.O.P.No.11237 of 2024

WEB COPY

K.KUMARESH BABU, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 452, 323, 506(1) of IPC and 7(1)(a) the criminal law amendment Act 1932 in Crime No.210 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the respondent police received the intimation from the government hospital at Chengalpattu district. At this juncture on 31.03.2024 around the 05.00 pm the defacto complainant and his family members cleaning their own property. At that time, the petitioner and his family members picked the wordy quarrel and both the parties attacked within themselves. After that the defacto complainant's father and mother and his friend were admitted in the hospital. Further, the petitioner and other accused entered the hospital and attacked the defacto complainant and used filthy language and life threatened the defacto complainant. Hence the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the



Crl.O.P.No.11237 of 2024

prosecution and he has been falsely implicated in this case. Hence, he prays for grant of anticipatory bail.

4. The learned Government Advocate (Crl. Side) appearing for the respondent submitted that the victim discharged. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration of all the factors, anticipatory bail is granted to the petitioner with certain conditions.

6. 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 No.01, Chengalpattu District*, on condition that the petitioner shall 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



Crl.O.P.No.11237 of 2024

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 10.00 a.m., for a period of two weeks 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 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;

08.05.2024

rna



WEB COPY



Crl.O.P.No.11237 of 2024

K.KUMARESH BABU, J.

rna

Crl.O.P.No.11237 of 2024

08.05.2024