



Crl.O.P.No.12273 of 2024

Crl.O.P.No.12273 of 2024

WEB COPY

C.SARAVANAN, J.

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No.320 of 2024, seeks anticipatory bail.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent Police and perused the materials available on record.

3. Learned Government Advocate (Criminal Side) submits that the de facto complainant/injured has been discharged from the hospital. He further submits that one previous case is pending against the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. He further submits that the prime accused in this case has been enlarged on bail vide order dated 30.04.2024 in CrI.M.PNo.2150 of 2024.



5. The petitioner is arrayed as A2 in Crime No.320 of 2024 before the respondent. It appears that the petitioner along with other accused abused the de facto complainant in a filthy language and assaulted him with bottle. It also appears that the de facto complainant was admitted in the hospital on account of the alleged injury caused by the accused.

6. Considering the facts and the submission made by the learned Government Advocate (Criminal side) that the injured has been discharged from the hospital and also considering the fact that the co-accused has been enlarged on bail, this Court is inclined to grant anticipatory bail subject to a condition that the petitioner has to donate a sum of Rs.10,000/- to any registered Orphanage in Tiruvallur District, without prejudice to his defence.

7. Accordingly, the petitioner is directed to donate a sum of Rs.10,000/- (Rupees ten thousand only) to any registered Orphanage in Tiruvallur District and on production of proof for the same, 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 is made ready, before the learned Judicial Magistrate, Tiruttani 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 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 am 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]**;



WEB COPY



Crl.O.P.No.12273 of 2024

C.SARAVANAN, J.

ham

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

23.05.2024

ham

Crl.O.P.No.12273 of 2024