



Crl.O.P.No.12218 of 2024

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WEB C **C.SARAVANAN, J.**

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323, 324 and 506(ii) of IPC in Crime No.81 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.

3. The learned Government Advocate (Criminal Side) confirms that the de facto complainant and the petitioner are strangers and that the dispute has arisen in front of the ice cream shop at midnight and one of the parties was under the influence of alcohol. He further confirms that the de facto complainant/injured has been discharged from the hospital.

4. The petitioner is arrayed as A1 along with four other accused in Crime No.81 of 2024. It appears that the petitioner and the de facto complainant had got into a wordy duel, resulting in a scuffle and as a result of which, the de facto complainant appears to have been injured.



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5. Considering the facts and the submissions made by the learned counsel on either side and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner subject to 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 is made ready, before the learned 14th Metropolitan Magistrate, Egmore, 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 as and when required for interrogation;



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[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.

23.05.2024

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