



Crl.O.P.No.12494 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 294(b) & 506(ii) of IPC in Crime Number not known of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are neighbours. On 11.05.2024 at about 10.00 p.m., there was a quarrel among the petitioner's family members and when the de-facto complainant intervened to pacify the family members of the petitioner, the petitioner abused the defacto complainant with filthy language and also assaulted him due to which, the defacto complainant sustained injuries. Hence the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and that he has been falsely implicated in this case.



4. Learned Government Advocate (Crl.side) appearing for the respondent submitted that based on the complaint given by the defacto complainant, a case in Crime No.148 of 2024 has been registered against the petitioner, before the respondent herein. However, she submitted that the petitioner has no history of being involved in any criminal cases in the past.

5. Heard both sides and perused the materials available on record.

6. Considering the facts and circumstances of the case, age of the petitioner and also the submissions made by either sides, the Court is inclined to grant Anticipatory Bail to the petitioner and the petitioner shall be released immediately on bail, in the event of arrest or on his appearance, with subject to the following conditions :-

[a] the petitioner shall appear before the **learned District Munsif cum Judicial Magistrate, Cheyyur**, within a period of fifteen days from the date on which the order copy made ready.

[b] 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.



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[c] 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.

[d] the petitioner shall donate a sum of **Rs.5,000/- (Rupees Five thousand only)** to the recognized and registered Orphanage in Kancheepuram District.

[e] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

[f] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[g] the petitioner shall not abscond either during investigation or trial.

[h] 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]**.

[i] If the accused thereafter absconds, a fresh FIR can be



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registered under Section 229A IPC.

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24.05.2024

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24.05.2024