



Crl.O.P.No.12496 of 2024

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

Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) appearing for the respondent.

2. The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) of the Indian Penal Code in Crime No.20 of 2024 at the instance of one Mrs.Arul, who is the wife of the victim - one Mr.Balamurugan. Earlier, the petitioner filed a petition in Crl.M.P.No.998 of 2024 seeking anticipatory bail before the District & Sessions Court, Nagapattinam and the same was dismissed on 18.4.2024.

3. The case of the prosecution is that there was a quarrel between the petitioner and the victim with regard to demolition of a portion of the petitioner's property to lay down a road. In that quarrel, both the petitioner and the victim suffered minor injuries. Hence, the complaint.

4. The learned counsel for the petitioner would submit that the petitioner is an innocent person and that he has not committed any offence as alleged by the prosecution. He further submitted that the victim has been discharged from the hospital. Therefore, he prays to grant anticipatory bail to the petitioner.



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5. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioner has no antecedent as to being involved in any criminal case and that in the said quarrel, the petitioner abused the victim in filthy language and caused him injuries by knife. Therefore, she vehemently opposed to the grant of anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case 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 Judicial Magistrate, Vedaranyam**, 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.10,000/- (Rupees Ten thousand only)** to the recognized and registered Orphanage in Nagapattinam 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 petitioner thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

24.05.2024

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