



Crl.O.P.No.12712 of 2024

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S.SOUNTHAR, J.

The petitioner herein seeks anticipatory bail in Crime No.302 of 2024 registered by the respondent Police for the offences under Sections 294(b), 323 and 506(ii) of IPC.

2. The case of the prosecution is that the defacto complainant was running a biriyani shop namely SRC near the Chandrapuram Wineshop for the past five months. When the defacto complainant was working in the hotel, at that time, one Balu was standing there and helped him in the evening, the A1 and the petitioner/A2 who are known to him came to the hotel to buy biriyani parcel and the defacto complainant had given them the biriyani and when he asked to pay a sum of Rs.340/-. The petitioner/A2 and A1 refused to pay money and left the shop. Later, the petitioner/A2 and A1 came to the hotel, the A1 abused the defacto complainant with filthy language and hit him in his left side head with hand and slapped him.

3. The learned counsel for the petitioner stated that the petitioner is an innocent person and he has been falsely implicated in Crime No.302 of



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2024 registered by the respondent Police for the offences under Sections 294(b), 323 and 506(ii) of IPC. Thus, he seeks anticipatory bail to the petitioner.

4. Mr.Leonard Arul Joseph Selvam, learned Government Advocate (Criminal side) stated that, on 10.05.2024, the petitioner/A2 along with A1 bought biriyani parcel and refused to pay money. When the defacto complainant asked the petitioner/A2 and A1 to pay money for biriyani, at that time, the petitioner/A2 and A1 abused the defacto complainant with filthy language and also attacked with hands, due to which, the defacto complainant sustained injuries. Thus, he prays for dismissal of this petition.

5. Taking into consideration nature of allegation made against the petitioner and other facts and circumstances of the case, I am inclined to grant anticipatory bail 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**



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Magistrate No.IV, Tiruppur, on condition that the petitioner shall execute 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 10.00.a.m., until further orders.

[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 petitioners in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned



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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;

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