



Crl.O.P.No.12936 of 2024

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**S. SOUNTHAR, J.**

The petitioner herein seeks anticipatory bail in Crime No.81 of 2024 registered by the respondent Police for the offences punishable under Sections 341, 294(b), 323, 324 and 506(ii) of IPC.

2. Learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that the petitioner is no way connected with the alleged offence and also submitted that the similarly placed co-accused have been granted anticipatory bail by this Court. Hence he prayed for grant of anticipatory bail to the petitioner.

3. The learned Government Advocate (Criminal Side) submitted 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 submitted that both the parties got into a wordy duel, resulting in a scuffle and the accused had assaulted the de facto complainant with beer bottle, causing grievous injuries. He further



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submitted that the de facto complainant/injured has been discharged from the hospital, however, he opposed for grant of anticipatory bail to the petitioner.

4. Having regard to the nature of allegation against the petitioner 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 with certain conditions.

5. 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 **XIV 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;



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**[b] the petitioner shall report before the respondent Police every day 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]**;

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

**30.05.2024**

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