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Crl.O.P.No.12881 of 2024

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S. SOUNTHAR, J.

The petitioner herein seeks anticipatory bail in Crime No.179 of 2024 registered by the respondent Police for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC.

2. The case of the prosecution is that on 04.05.2024, when the de-facto complainant who is a Sanitation Worker was working on a drainage blockage near Vivekananda Nagar Main Road, Sunga Slit, asked the driver of a hotel van parked at that place to pull over and stop. The petitioner and other staff members of the said hotel uttered filthy language against the de-facto complainant and assaulted him and thereby committed the offence.

3. Learned counsel for the petitioner submitted that at the time of occurrence, the de-facto complainant and his co-employees also attacked the petitioner and he is admitted before the Periyar Nagar Government Hospital in A.R.No.3638193. Hence, the petitioner has also made a complaint before the respondent Police, for which no action has been taken. The petitioner is



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an innocent person and submits that the co-accused has been released on bail in CrI.M.P.No.26254 of 2024 on 10.05.2024. Hence, he seeks anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal side) stated that the injured de-facto complainant has been discharged from the Hospital.

5. Taking all the factors into consideration, 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 XIII M.M., Egmore, Chennai** on condition that the petitioner shall execute separate 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:



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[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 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;

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