



Crl.O.P.No.17385 of 2024

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**T.V.THAMILSELVI,J.**

The petitioner, who apprehend arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 341, 323 and 506(ii) of IPC in Crime No.359 of 2022, seeks anticipatory bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated whereas, he has not committed any offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

3. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the defacto complainant is a driver and on the said date of the occurrence, while the defacto complainant was returning home, at that time, the petitioner along with other accused came in the vehicle, waylaid the said lorry, abused the defacto complainant for operating lorry when the agitation with company management was in force. He further submitted that



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the injured has been discharged from the hospital. However, he vehemently opposed for the grant of anticipatory bail to the petitioner.

4. Taking into consideration the facts and the submissions made by the learned counsel on either side, 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 (15) days from the date of receipt of a copy of this order before the *learned Judicial Magistrate No.II, Gobichettipalayam*, on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only), with two sureties, (out of which, one surety must be a blood related surety) 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 and on further condition that:

**(a) the petitioner shall deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.359 of 2022, before the concerned Court, within a period of two weeks from the date of receipt of a copy of this order and on such deposit, the petitioner shall appear**



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**before the respondent police and on such, the defacto complainant is permitted to withdraw by filing undertaking affidavit and proper acknowledgment;**

(b) the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

**(c) the petitioner shall report before the respondent police on every alternate days at 10.30 a.m., for a period of three months and thereafter as and when required for interrogation;**

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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 has been imposed and the petitioner is 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]*; and;



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[g] if the accused thereafter absconds, a fresh FIR  
can be registered under Section 229-A IPC;

**25.07.2024**

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