



Crl.O.P.No.25052 of 2024

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K.GOVINDARAJAN THILAKAVADI, J.

The petitioner, who apprehends arrest for the alleged offence under Sections 296(b), 118 (1), 329 (4) and 351 (3) of BNS Act, in Crime No.408 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a wordy quarrel between the petitioner and the defacto complainant. The petitioner along with A1 entered into the defacto complainant's house, abused the defacto complainant in filthy language and assaulted him with iron rod and threatened him. Hence, the complaint.

3. The learned counsel appearing 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 hence, he prayed for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent police submitted that the petitioner along with A1 assaulted and abused the defacto complainant in filthy language and threatened him. He further submitted that the victim has been discharged from the Hospital. Therefore, he opposed for granting anticipatory bail to the petitioner.

5. Taking into consideration the facts and the submissions and that the petitioner is ready and willing to deposit some amount to the credit of Crime No.408 of 2024, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of **Rs.5,000/- (Rupees Five Thousand Only) to the credit of Crime No.408 of 2024 within a period of three weeks from the date on which the order copy made ready**, and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance,



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before the learned **Judicial Magistrate, Avinashi**, 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.

[b] the petitioner shall deposit a sum of **Rs.5,000/- (Rupees Five thousand Only) to the credit of Crime No.408 of 2024** within a period of three weeks from the date on which the order copy made ready and the victim is permitted to withdraw this amount.

[c] the final order in respect of the said deposit shall be passed by the learned trial Judge at conclusion of trial;



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[d] the petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of four weeks and thereafter as and when required for interrogation;

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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].**

[h] if the accused thereafter absconds, a fresh FIR can be registered under Section 269-BNS;

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