



Crl.O.P.No.27988 of 2024

A.D.JAGADISH CHANDIRA, J.

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The Petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115, 121 and 351(2) of BNS, 2023, in Crime No.59 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that when defacto complainant, who is a Grade-II Police Constable, was on a random vehicle check, the petitioner, on a drunken mood, attacked the defacto complainant and caused injury. Hence, the case.

4.The learned counsel for the petitioner would submit that the Petitioner is innocent and he has been falsely implicated in this case. He would also submit that when the petitioner was driving his vehicle, the defacto complaint was doing vehicle check and demanded money, but the petitioner refused to pay the money, hence a false case has been registered against him. He would further submit that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



5.The learned Government Advocate (Crl. Side) appearing for the respondent, while opposing for grant of anticipatory bail to the petitioner, submitted that the petitioner, in a drunken mode, had abused the defacto complainant, who is a Grade-II Police Constable, in filthy language and attacked him.

6.Heard the learned counsel for the petitioner, the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

7.Considering the above facts and circumstances of the case, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions:

[a] 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 of receipt of a copy of this order, before the **Judicial Magistrate Court, Coonoor**, 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 said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the Judicial Magistrate, Coonoor, on all working days at 10.30 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 269 BNS.

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