



Crl.OP.No.27526 of 2023

Crl.O.P.No.27526 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner/accused in Crime No.318 of 2023 registered by the respondent police for the offences punishable under Sections 294(b), 353 and 506(ii) of IPC seeks anticipatory bail .

2. It is the case of the prosecution that the petitioner herein had tried to take photographs of the accused who was arrested for alleged theft of bikes in the village of the petitioner, on 16.11.2023, when that particular accused was taken to the hospital by the respondent

3. Taking of photographs inside the Public Government building, was objected by the respondent and it is stated that the petitioner had picked up a quarrel which escalated into violence. The defacto complainant is a Grade-I Police Constable. Among other objections, the main objections raised by the respondent is the number of previous cases against the petitioner which are 19 in number including categorization of him as a history sheeter. But this incident should be viewed independently.



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4. Taking that view into consideration, this Court is inclined to grant anticipatory bail to the petitioner subject to the following 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 made ready, before the *learned Judicial Magistrate, Arcot, Ranipet District* on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, 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 report before the respondent police everyday at 10.30 a.m., until further orders.



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[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.

05.02.2024

Vv

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