



Crl.O.P.No.29088 of 2024

Crl.O.P.No.29088 of 2024

A.D.JAGADISH CHANDIRA, J.

Apprehending arrest in connection with Crime No.559 of 2024, registered for the offences punishable under Sections 296(b), 118(1), 351(3) of B.N.S. Act, 2023 and the same were altered as 109(1), 296(b), 351(3) of B.N.S. Act, 2023, the present petition has been filed seeking anticipatory bail.

2.The case of the prosecution is that on 30.10.2024 at around 11.30 in the night, the defacto complainant's friend Ashwanth called him and told him that he was eating in a restaurant at Tiruppur Road, at that time, two persons came with two small puppies and they ordered to eat. One Rajkumar, who works in the said restaurant picked up the puppy and rubbed it on his hand and served food to the defacto complainant and the defacto complainant's friend questioned him that why didn't he wash his hands, for which the said two men threatened him. Thereafter, the defacto complainant chased them with his friends, on seeing them at Tiruppur Cherish Company Road, they asked them to stop the bike and the accused persons scolded them with inappropriate words and one of the accused took the knife and threw it and the same hit the right side of the defacto complainant's jaw and bled profusely and the accused persons ran away from the place of occurrence. Hence, the case.



Crl.O.P.No.29088 of 2024

3.Pleading innocence on the part of the petitioner, false implication in the case, learned counsel for the petitioner seeks indulgence of this court. He would further submit that he is ready to abide by any stringent condition that may be imposed by this Court.

4.The case of the prosecution as putforth by the learned Government Advocate (Criminal Side) appearing for the respondent police, opposing for grant of anticipatory bail, is that the petitioner herein is A1, the petitioner along with other accused assaulted the defacto complainant with dire consequences. Injury has been inflicted by A1 to the defacto complainant and the injured has been discharged from the hospital. He would further submit that there is no previous case as against the petitioner.

5.Having heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police and perused the materials available on record, this court is inclined to grant anticipatory bail to the petitioners with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on



Crl.O.P.No.29088 of 2024

which the order copy made ready, before the learned Judicial Magistrate, Kangeyam, on condition that the petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each with two sureties, each for a like sum to the satisfaction of the respondent police or the police officer who intend 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 his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police on every day 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



Crl.O.P.No.29088 of 2024

WEB COPY

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 abscond, a fresh FIR can be registered under Section 269 of B.N.S.

25.11.2024

ah



WEB COPY



Crl.O.P.No.29088 of 2024

A.D.JAGADISH CHANDIRA, J.

ah

Crl.O.P.No.29088 of 2024

25.11.2024