



Crl.O.P.No.29158 of 2024

**Crl.O.P.No.29158 of 2024**

WEB COPY **A.D.JAGADISH CHANDIRA, J.**

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the offences punishable under Section 296(b), 115(2), 118(2), 351(3) of BNS in Crime No.652 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 29.10.2024, due to previous enmity, there was a wordy quarrel between the petitioner and the de-facto complainant, as a result of which, the petitioner along with other accused assaulted the defacto complainant and thereby, caused injuries. Hence the case.

3. Learned counsel appearing for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prayed for grant of anticipatory bail to the petitioner.



Crl.O.P.No.29158 of 2024

WEB COPY

4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while opposing for the grant of anticipatory bail to the petitioner, would submit that during the wordy quarrel between petitioner and the defacto complainant, the petitioner/A1 had assaulted the defacto complainant with knife. He would further submit that the defacto complainant sustained only simple injuries and discharged from the hospital after four days, and there are three previous cases pending as against the petitioner.

5. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration the above facts and circumstances of the case, the submissions made by the learned counsel on either side that the injured has been discharged from hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



Crl.O.P.No.29158 of 2024

7. 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, Vaniyambadi***, 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 conditions 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 everyday at 2.00 p.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;



WEB COPY



Crl.O.P.No.29158 of 2024

**A.D.JAGADISH CHANDIRA, J.**

*mac*

[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 of BNS.

**25.11.2024**

*mac*

**Crl.O.P.No.29158 of 2024**