



CrI.O.P.No.21766 of 2022

A.D.JAGADISH CHANDIRA, J.,

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The petitioners, who apprehends arrest for the alleged offences under Sections 341, 294(b), 323, 506(i) IPC in Crime No.282 of 2022 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the petitioners in an inebriated condition quarrelled with the staffs in the restaurant by using abusive language and also created ruckus and caused damages to the articles in the restaurant. Hence, the complaint.

3.The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and a false complaint has been registered against them. He would submit that on the fateful day they had gone to the hotel to have meals and they were served with stale food and when they questioned the same, the hotel staffs have threatened them. Immediately, the petitioners had called the local TV channel and had given an interview against the restaurant. Only as a retaliation, a false complaint has been given by the management of the restaurant, as if the petitioners quarrelled with them and created ruckus and caused damages to the articles in the hotel. The petitioners are ready to abide by any stringent conditions that may be imposed on them by this Court.



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4. The learned Government Advocate (crl. side) appearing for the respondent police submitted that the petitioners entered into a hotel in an inebriated condition and they quarrelled with the staffs in the restaurant by using abusive language and also created ruckus and caused damages to the articles. He would submit that there is no previous case against the petitioners.

5. Taking into consideration the facts and circumstances of the case and the submissions made by the learned Counsel, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen (15) days from the date on which the copy of the order is made ready, before the XVIII Metropolitan Magistrate, Saidapet, Chennai, on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each 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 petitioners 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 petitioners shall report before the respondent Police daily at 10.30a.m., until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners 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 abscond, a fresh FIR can be registered under Section 229A IPC.

With the above directions, this Criminal Original Petition is ordered.

09.09.2022

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