



Crl.O.P.No.26598 of 2022

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A.D.JAGADISH CHANDIRA, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324 and 506(ii) of IPC in Crime No.279 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant Vengadesh is that the accused had threatened him to withdraw a case as against the relative of the petitioners, abused him in filthy language and also assaulted him with beer bottle. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would submit that the defacto complainant had assaulted the employee of the petitioners and when they were gone for rescuing, a false complaint has been given against them. He would further submit that a counter case has also been registered against the defacto complainant in Crime No.280 of 2022. He would also submit that the



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petitioner is ready to stay away and hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that the accused had threatened him to withdraw a case as against the relative of the petitioners, abused him in filthy language and also assaulted him with beer bottle. He would further submit that it is a case and case in counter. Hence, he opposed for grant of anticipatory bail to the petitioners.

5.Heard the learned counsel and perused the entire materials available on record including the First Information Report.

6.Taking into consideration the facts of the case and the submissions made by the learned counsel and also of the fact that it is a case and case in counter, this Court is inclined to grant bail to the petitioners with certain conditions.



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7. Accordingly, the petitioners are 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 which the order copy made ready, before the learned Metropolitan Magistrate No.II, Egmore, Chennai on condition that each of the petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 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 stay at Vellore and report before the Inspector of Police, Sathuvachery Police Station, daily at 10.30 a.m., for a period of two weeks and thereafter, report before the respondent



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Police daily at 10.30 a.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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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;

02.11.2022

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