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Crl.O.P.No.27095 of 2022

A.D.JAGADISH CHANDIRA,J.

The petitioners who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 324, 506(ii) of IPC in Crime No.284 of 2022, seeks anticipatory bail.

2. The case of the prosecution as per the defacto complainant one Venkatesan is that, there was a quarrel in between the petitioners and the defacto complainant on account of bursting of crackers during such time, the petitioner had abused and attacked and also criminally intimidated the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and due to previous enmity, false complaint has been lodged. He would further submit that it is a case and case in counter. Hence, he seeks for grant of anticipatory bail to the petitioners.

4. The learned Additional Public Prosecutor would submit that

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there is no previous case pending against the petitioner. However, he opposed to grant anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case, this Court is inclined to grant anticipatory bail with certain 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 days from the date on which the order copy made ready, before the **learned VIII Metropolitan Magistrate, Saidapet** on condition that 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.

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[b] the petitioners shall report before the respondent 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.

17.11.2022

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A.D.JAGADISH CHANDIRA,J.

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