



Crl.O.P.No.32478 of 2022

Crl.O.P.No. 32478 of 2022

A.A.NAKKIRAN, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 341, 294(b), 323, 324 and 506(ii) of IPC, in Crime No.796 of 2022, on the file of the respondent police, seek anticipatory bail.

2. Totally there are seven accused in this case. The petitioners herein are arrayed as A3 to A7. The case of the prosecution is that on 18.12.2022, at about 07.00 hours, when the victim was presented in his grandmother house at that time, the petitioners along with three others was restraining the victim and assaulted him by using wooden articles and thereby sustained injury and thereafter the petitioners and two others were escaped from the scene of occurrence. Hence, the complaint.

3. The learned counsel for the petitioners submitted that the petitioners are innocent persons and that they did not commit any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.Side) submitted that the



petitioners A1 and A2 were already arrested and released on bail. He further

submits that the injured has been discharged from the hospital on 20.12.2022.

He further submits that the petitioners has no previous case as against them.

However, he opposed for the grant of anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and also the fact that there is no bad antecedents against the petitioners and also the injured has been discharged from the hospital, 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 their arrest by the respondent police or the police officer, who intends to arrest or on the petitioners surrender before the learned XV Metropolitan Magistrate, George Town, Chennai, within a period of fifteen days from the date of receipt of a copy of this order, on executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties for a like sum/amount to the satisfaction of the learned XV Metropolitan Magistrate, George Town, Chennai.

(a) the sureties shall affix their photographs and left thumb impression in the surety bond. The Police Officer who intends to arrest or the learned



Crl.O.P.No.32478 of 2022

Judicial Magistrate before whom the Petitioners surrender and the sureties execute bond shall obtain a copy of their Identity Card, Aadhar Card, or Voter Identity Card or Driving Licence or PAN Card or Bank Passbook with Photo affixed and attested by the Bank Manager as proof of Identity.

(b) the petitioners shall report before the respondent police daily at 10.30 a.m., until further orders.

(c) the petitioners shall not influence, threaten or coerce the 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 Investigation Officer shall exercise the discretion to cancel the bail by approaching the Court of the learned Judicial Magistrate/Trial Court.

(f) the learned Judicial Magistrate/Trial Court shall on application for cancellation of bail bond by the Investigation Officer shall pass appropriate orders as though bail granted by the learned Judicial Magistrate/Trial Judge

A.A.NAKKIRAN, J.

drl/smn



Crl.O.P.No.32478 of 2022

himself/herself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji Vs.***

State of Kerala [(2005) AIR SCW 5560]; and;

(g) if the Accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

28.12.2022

drl/smn

Crl.O.P.No. 32478 of 2022