



CrI.O.P.No.114 of 2023

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T.V.THAMILSELVI, J.

The petitioners, who apprehend 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.526 of 2022, seek anticipatory bail.

2. The case of the prosecution is that due to dispute regarding of parking of auto, the accused picked up a quarrel with the defacto complainant, during the quarrel, the accused abused him in a filthy language, assaulted him with hands and also threatened them. Hence the complaint.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and that a false complaint has been given against them, due to a quarrel between the petitioners and the defacto complainant who are the auto drivers. Hence, he prays for grant of anticipatory bail to the petitioners.



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4. The learned Government Advocate (Crl.Side) would submit that the petitioners and the defacto complainant are auto drivers. Due to dispute regarding of parking of auto, the petitioners picked up a quarrel with the defacto complainant, during the quarrel, the petitioners abused him and also assaulted him with hands. He would further submit that there is no previous case pending against them. However, he opposed for grant of anticipatory bail to the petitioners.

5.Taking into consideration of the facts and circumstances of the case and the submissions made by the learned counsel and also of the fact that there is no previous case pending against them, this Court is inclined to grant anticipatory bail to the petitioners 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



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XVIII Metropolitan Magistrate Court, Saidapet on condition that the petitioners shall execute a 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 appear before the respondent Police as and when required for interrogation.

[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



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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;

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