



Crl.O.P.No.725 of 2023

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T.V.THAMILSELVI,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 @ 294(b), 324, 506(ii), 323 & 307 of IPC in Crime No.476 of 2022, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant contacted the petitioner company for shifting her house. However, there was some dispute between them, during which, the petitioner and another have abused the defacto complainant and assaulted her husband, resulting in him sustaining injuries. Hence, the complaint.

3.The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would also submit that the co-accused/A1 was granted bail. Hence, he prays for grant of anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl. Side) would submit that due to prior enmity regarding the shipment of household materials, the petitioner along with other accused abused the defacto complainant with filthy language, assaulted her husband and caused injuries to him. He would also submit that the injured has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioner.

5.Taking into consideration the facts and circumstances of the case and also the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6.Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned VI Metropolitan Magistrate, Egmore, Chennai-8**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten 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



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the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioner 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 petitioner shall report before the respondent Police as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[d] the petitioner shall not abscond either during investigation or trial;



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[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 absconds, a fresh FIR can be registered under Section 229A IPC.

12.01.2023

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