



Crl.O.P.No.825 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), 323 and 506(ii) of IPC in Crime No. Not Known, seek anticipatory bail.

2. The case of the prosecution is that due to property dispute, there arose a wordy quarrel in between the petitioners and the defacto complainants and the petitioners herein abused the defacto complainants by using filthy language and attacked them, due to which, they sustained severe injuries and got admitted in the hospital. Hence the complaint.

3. Learned counsel appearing for the petitioners would submit that the petitioners have not committed any offence as alleged by the prosecution. He would further submit that there is a case in counter registered against the defacto complainants. Hence, the learned counsel prays to grant anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.side) would submit that the petitioners herein, attacked the defacto complainants and the defacto



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complainants sustained injuries. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the fact that the it is a case and a case in counter, this Court is inclined to grant anticipatory bail to the petitioners.

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 of receipt of a copy of this order, before the learned **Metropolitan Magistrate Court, Chennai**, 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 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 Court concerned may obtain a



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copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report 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 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]***; and;

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

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To:

1. The Metropolitan Magistrate Court,
Chennai.
2. The Public Prosecutor,
High Court of Madras.

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