



Crl.O.P.No.1043 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 147, 294(b), 323, 353, 506(i) of IPC in Crime No.153 of 2022, seek anticipatory bail.

2. The case of prosecution is that on 25.03.2022, the petitioners along with other accused near GKM Colony, 37th Street, Kolathur assaulted the defacto complainant. Hence the complaint.

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. He further submit that co-accused already released on bail. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that on 25.03.2022, the petitioners along with other accused near GKM Colony, 37th Street,



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Kolathur assaulted the defacto complainant. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Considering the facts and circumstances of the case and the submissions made by the learned counsel, 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 *XIII Metropolitan Magistrate Court, Egmore, Chennai* on condition that each of the petitioners 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 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



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their Aadhar card or Bank pass Book to ensure their identity.

(b) the petitioners shall report before the respondent police station every Wednesday at 10.30 a.m., for a period of eight weeks and thereafter as and when required for interrogation.

(c) the petitioners shall deposit a sum of Rs.10,000/- to the credit of Crime No.153 of 2022 within a period of two weeks before the concerned Magistrate and the learned Magistrate shall disburse the amount to the defacto complainant.

(d) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(e) the petitioners shall not abscond either during investigation or trial;

(f) 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]***; and;



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

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19.01.2023

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