



Crl.O.P.No.1391 of 2023

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T.V.THAMILSELVI,J.

The petitioners, who apprehends arrest at the hands of the respondent Police for the offences punishable under Sections 294(b), 341, 324, 323 & 506(ii) of IPC, in Crime No.8 of 2023, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that when he along with his son while crossing the accused wished him, whereas the accused started quarrelling with him for wishing him and assaulted him. Hence, the case.

3. Learned counsel appearing for the petitioners submitted that the petitioners are innocent and the have been falsely implicated in this case. He further submitted that a case in Crime No.7 of 2023 was registered as against the de-facto complainant on the basis of the complaint given by the petitioners. He also stated that the similarly placed co-accused has been released on bail and also stated that the petitioners are ready to abide by any stringent conditions that may be imposed by this Court. Hence, he prays for



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grant of anticipatory bail to the petitioners.

4. Learned Government Advocate (Crl.Side) appearing for the respondent submitted that the petitioners along with the other accused abused and assaulted the de-facto complainant for wishing him. He further submitted that it is a case and a case in counter. However, he opposed to grant anticipatory bail to the petitioners.

5. Heard the learned counsel for the petitioners and the learned Government Advocate (Crl.Side) for the respondent and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case and the submissions made by the learned counsel for the petitioners, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on



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anticipatory 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 **II Metropolitan Magistrate, Chennai**, on condition that the petitioners shall execute a separate 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 their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioners shall report before the respondent police on every Wednesday at 10.30. a.m., for a period of six weeks and thereafter, 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;



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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 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.

24.01.2023

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