



Crl.O.P.No.4119 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 341, 294(b), 324 of IPC in Crime No.32 of 2023, seek anticipatory bail.

2.The case of the prosecution is that there was a wordy quarrel between the petitioners and the defacto complainant. Due to which, the petitioners along with the other accused abused and assaulted the defacto complainant with knife and thereby caused injuries to him.

3.The learned counsel appearing for the petitioners would submit that he has nothing to do with the alleged offence. He would further submit that there is no previous case pending against the petitioners. Hence, he prays for grant of anticipatory bail to the petitioners.



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4.The learned Government Advocate (CrI.Side) appearing for the respondent would submit that there was a wordy quarrel between the petitioners and the defacto complainant. Due to which, the petitioners along with the other accused abused and assaulted the defacto complainant with knife and thereby caused injuries to him. He would further submit that there is no previous cases pending against them. Hence, he opposed for grant of anticipatory bail to the petitioners.

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

6.Considering the fact that the injured person has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners.

7.Accordingly, the petitioners are ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a



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period of fifteen days from the date of receipt of a copy of this order, before the learned *Judicial Magistrate Court-II, Alandur*, 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 copy of their Aadhar card or Bank pass Book to ensure their identity;

(b)the petitioners shall report before the respondent police daily 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 petitioner in accordance with law as if the conditions have been imposed and the petitioner released on anticipatory 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.

28.02.2023

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