



Crl.O.P.No.4235 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, 324, 325 and 506(ii) IPC in Crime No.33 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant had parked his car in the road with the support of a stone and later, he removed the stone under the car and it collided the petitioners' car which is parked behind the defacto complainant's car, due to which, there was a wordy quarrel between them. During the quarrel, the petitioners attacked the defacto complainant with wooden log and also threatened him. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and the defacto complainant had parked his car without applying hand break, for which, it was collided the petitioners' car and caused damages. He would further submit that it is a case and a case in counter and they are ready to abide by any stringent



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condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent would submit that the defacto complainant had parked his car in the road with the support of a stone and later, he removed the stone under the car and it collided the petitioners' car, due to which, the petitioners attacked the defacto complainant with wooden log and also threatened him. He would further submit that there was no damage to the car and it is a case and a case in counter. Hence, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Taking into consideration the facts of the case and the submissions made by the learned counsel and also of the fact that there was no damage to the car, this Court is inclined to grant anticipatory bail



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to the petitioners with certain conditions.

7. 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 XV Metropolitan Magistrate, George Town, 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 their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioners shall report before the respondent Police on every Tuesday and Sunday at



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10.30 a.m., for a period of eight weeks.

[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]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC;

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