



Crl.O.P.No.5936 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323, 324 and 506(ii) of IPC in Crime No.42 of 2023, seek anticipatory bail.

2. The case of the prosecution is that the de-facto complainant and the petitioners are neighbours and there was a wordy quarrel between, as a result of which, the petitioners have abused the defacto complainant with filthy language and assaulted her and also threatened her with dire consequences. Hence the complaint.

3. The learned counsel for the petitioners would submit that the petitioners are innocent persons and a false complaint has been given against them, due to a quarrel between the petitioners and the defacto complainant who are the neighbours. He would submit that based on the



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complaint given by the petitioners, a case in Crime No.41 of 2023 has been registered against the *de-facto* complainant. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) for the respondent would submit that this is the case and case in counter. the *de-facto* complainant and the petitioners are neighbours and there was a wordy quarrel between, as a result of which, the petitioners have abused the *defacto* complainant with filthy language and assaulted her and also threatened her with dire consequences. Hence, he opposed for grant of anticipatory bail to the petitioners.

5. Taking into consideration of the facts and circumstances of the case and the submissions made by the learned Counsel and that it is a case and case in counter, this Court is inclined to grant anticipatory bail with certain conditions.



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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 XIV Metropolitan Magistrate, Egmore**, on condition that each of the petitioner shall execute a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 1 and 3 shall stay at Chengalpet and report before the Inspector of Police, Chengalpet Town Police Station daily at 10.30 a.m., for a period of two weeks and thereafter report before the respondent police every Saturday at 10.30 a.m., until further orders;**



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[c] the second petitioner shall report before the respondent police everyday at 10.30 a.m., for a period of two weeks and thereafter as and when required for interrogation.

[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 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]**;

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

15.03.2023

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