



CrI.O.P.No.8394 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 294(b), 323 and 506(i) of IPC and section 4 of TNPHW Act in Crime No.37 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the dispute with regard to the management of Church, the petitioner abused and assaulted the defacto complainant while he went to the Church on 26.02.2023. Hence the case.

3. The learned counsel for the petitioner would submit that this is the second anticipatory bail petition and the earlier petition was withdrawn by the petitioner on 17.03.2023. He would submit that on account of civil dispute, a false complaint has been given against the petitioner. He would further submit that it is a case and case in counter. Hence, he prays for grant of anticipatory bail to the petitioner.



Crl.O.P.No.8394 of 2023

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4. The learned Government Advocate (criminal side) for the respondent would submit that the dispute with regard to the management of Church, the petitioner abused and assaulted the defacto complainant, already a civil suit is pending between the parties. He would further submit that the investigation is pending. Hence, he opposed for grant of anticipatory bail to the petitioner/accused.

5. Heard the learned Counsel for the petitioner and the learned Government Advocate (crl.side) and perused the materials available on record.

6. Considering the above facts and circumstances of the case and the submissions made by either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned**



Crl.O.P.No.8394 of 2023

Metropolitan Magistrate-V, Egmore, Chennai, on condition that the petitioner shall execute a bond for a sum of **Rs.15,000/- (Rupees Fifteen 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 petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity.

[b] **the petitioner shall report before the respondent police daily at 10.30 a.m., for a period of two weeks and thereafter every Saturday at 10.30 a.m., until further orders.**

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioner shall not abscond either during investigation or trial.



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Crl.O.P.No.8394 of 2023

A.D.JAGADISH CHANDIRA, J.

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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 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.

27.04.2023

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Crl.O.P.No.8394 of 2023