



Crl.O.P.No.11933 of 2023

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V.LAKSHMINARAYANAN, J.

The petitioners who apprehend arrest for the alleged offence punishable under Sections 294(b), 324 I.P.C., in Crime No.96 of 2023 on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that the petitioners who are the neighbours of the defacto complainant had attacked him with chisel, due to which the defacto complainant sustained simple injury and also abused him in filthy language. Hence, the law enforcing agency registered a case against the petitioners.

3.The learned counsel appearing for the petitioners submits that the petitioners have not committed any offence as alleged by the prosecution. Accordingly, prays for grant of anticipatory bail to the petitioners.

4.Learned Government Advocate (Crl side) submits that the petitioners who are the neighbours of the defacto complainant, attacked the defacto complainant with chisel, due to which, he sustained simple injury. Hence, he vehemently oppose for the grant of anticipatory bail to the



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petitioners.

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5.Considering the facts and circumstances and also the submissions of the learned counsel for the petitioners and the learned Government Advocate (Crl. Side), this Court is inclined to grant anticipatory bail to the petitioners.

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 of receipt of a copy of this order, before the learned **XVIII Metropolitan Magistrate, Saidapet, Chennai** on condition that the petitioners shall execute a separate 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



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identity;

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(b) the 1st petitioner shall report before the respondent police daily at 10.30 a.m. for a period of four (4) weeks and thereafter as and when required for interrogation; The 2nd and 3rd petitioner shall report before the respondent police 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;

(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]***; and;

(f) if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC.

26.05.2023

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