



CrI.O.P.No.12126 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 alleged offences punishable under Sections 294(b), 324 and 506 (ii) of IPC, in Crime No.350 of 2023, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant is that due to previous enmity the accused have threatened his father and caused head injuries to him. Hence, the case.

3. The learned counsel appearing for the petitioners would submit that the petitioners are innocent persons and they have been falsely implicated in this case. He would further submit that the defacto complainant had misbehaved with the family member of the petitioners and he had recorded certain conversation in her mobile phone and had threatened the petitioners relative and when it was questioned by the petitioners, there was a quarrel between them, during which, the victim



Crl.O.P.No.12126 of 2023

WEB COPY

was assaulted. He would further submit that the victim has been discharged from the hospital. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) would submit that due to previous enmity, the accused have threatened the defacto complainant's father and caused head injuries and though the victim has been discharged from the hospital, he has been continuously taking treatment.

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

6. In view of the above submissions made by the learned counsels, this Court is inclined to grant anticipatory bail to the petitioners subject to the following conditions;



CrI.O.P.No.12126 of 2023

WEB COPY

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 (15) days from the date on which the copy of the order is made ready, before **the learned Judicial Magistrate, Arni**, on condition that the petitioners shall execute a separate 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 petitioner shall stay at Chennai and report before the North Beach Police Station everyday at 10.30 a.m., for a period of three weeks and thereafter report before the respondent police every Saturday at 10.30 a.m., until further orders.

[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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Crl.O.P.No.12126 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 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 abscond, a fresh FIR can be registered under Section 229A IPC.

8. With the above directions, this Criminal Original Petition is ordered.

01.06.2023

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Crl.O.P.No.12126 of 2023