



Crl.O.P.No.14478 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 alleged offences punishable under Sections 448, 294(b), 324, 506(i) of IPC r/w. 4 of TNPWH Act in Crime No.130 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that due to neighbours dispute, there arose a wordy quarrel between the petitioner and the defacto complainant, as a result, the petitioner abused and assaulted the defacto complainant. Hence, the complaint.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent person and he has been falsely implicated in this case. He would further submit that on the complaint given by the petitioners' side, a counter case has been registered against the defacto complainant's side in Cr.No.129 of 2023 and thereby, he would seek for anticipatory bail to the petitioner.



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4.The learned Government Advocate (Crl. Side) appearing for the respondent Police would submit that on account of neighbours dispute, there was a quarrel between the petitioner and the defacto complainant, resulting in case and the counter case being registered between the parties. Hence, he objects for the grant of anticipatory bail to the petitioners.

5. Heard the learned counsel appearing on either side and perused the entire materials available on record including the First Information Report.

6.Taking into consideration the facts of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant bail to the petitioners 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



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X Metropolitan Magistrate, Egmore, Chennai, on condition that the petitioner 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 petitioner 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 report before the respondent police everyday at 10.30 a.m., for a period of three weeks and thereafter, on 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;



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[d] the petitioner 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 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;

28.06.2023

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