



Crl.O.P.No.15121 of 2023

Crl.O.P.No.15121 of 2023

G.CHANDRASEKHARAN. J.

The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 354, 452, 324 and 506(i) of IPC and Section 4 of TNPHW Act, 2002 in Crime No.157 of 2023 on the file of the respondent police, seeks anticipatory bail.

2. It is the submission of the learned counsel for the petitioner that, petitioner is falsely implicated in a case registered for the offence under Sections 294(b), 354, 452, 324 and 506(i) of IPC in Crime No.157 of 2023. He further submitted that, co-accused in this case was granted anticipatory bail by this Court. Apprehending arrest, this petition is filed.

3. In response, learned Government Advocate (Crl. Side) submitted that, on 07.05.2023 at about 11.30.a.m., accused had trespassed into the house of the defacto complainant and started beating with cricket stump, lid of the cooker. 1st accused Rajesh Kumar @ Chinna had also thrown hot water on the defacto complainant and on her



Crl.O.P.No.15121 of 2023

husband. As a result, defacto complainant and her husband suffered injuries. He further submitted that the injured victims have been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioner.

4. Considering the nature, facts and circumstances of the case and the allegations made in the FIR, it is clear that the accused Rajesh Kumar @ Chinna, is the one who made physical violence as against the defacto complainant and her husband and he was also granted anticipatory bail and that the material part of investigation might have been over by this time, this Court is inclined to grant anticipatory bail to the petitioner for the reason that, custodial interrogation of the petitioner is not necessary in this case.

5. Accordingly, 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 Judicial Magistrate II, Thiruvallur**, on condition that the petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five**



Crl.O.P.No.15121 of 2023

WEB COPY

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., 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.

[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



WEB COPY



Crl.O.P.No.15121 of 2023

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.

12.07.2023

sma



WEB COPY



Crl.O.P.No.15121 of 2023

G.CHANDRASEKHARAN. J.

sma

Crl.O.P.No.15121 of 2023

12.07.2023