



Crl.O.P.No.15366 of 2023

G.CHANDRASEKHARAN. J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323, 506(i) of IPC in Crime No.153 of 2023 on the file of the respondent police, seek anticipatory bail.

2. Learned counsel for the petitioners submitted that, petitioners are falsely implicated in Crime No.153 of 2023 registered for the offences under Sections 294(b), 323, 506(i) of IPC. Petitioners are innocent and thus, he prays for grant of anticipatory bail to the petitioners.

3. Learned Government Advocate (Criminal side) opposed this petition, on the ground that, the petitioners along with other accused, abused and assaulted three sons of the defacto complainant with hands, with regard to dispute over parking of car in Chella Mall, T.Nagar, Chennai, on 28.06.2023 at about 3.30 p.m. However, he would submit that the injured have been discharged from the hospital.



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4. Considered the submissions and perused the records.

5. In the nature of the offence and facts of the case and the fact that injured have been discharged from the hospital, this Court is of the view that, custodial interrogation of the petitioners is not necessary and the petitioners are 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 XXII Metropolitan Magistrate Court, Egmore, Chennai** on condition that the petitioners shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five 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 petitioners shall report before the respondent police everyday 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.

[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 absconds, a fresh FIR can be registered under Section 229A IPC.

13.07.2023

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