



Crl.O.P.No.15412 of 2023

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G.CHANDRASEKHARAN. J.

The petitioners who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 341, 294(b), 323, 324 & 506(ii) of IPC in Crime No.158 of 2023 on the file of the respondent police, seek anticipatory bail.

2. It is the submission of the learned counsel for the petitioners that, there is no allegation in the FIR that the petitioners had attacked the *de-facto* complainant. It is alleged in the FIR that the petitioners had only accompanied other accused. Apprehending arrest, this petition is filed.

3. In response, learned Government Advocate (Crl. Side) submitted that, *de-facto* complainant is working in hotel Park and he also playing band. There is a previous enmity between the petitioners and the *de-facto* complainant. Due to which, on 19.06.2023 at about 10.00.a.m., while the *de-facto* complainant was returning from his work, he was waylaid by the accused. One Anjamani had abused the *de-facto* complainant in filthy language and stabbed him with knife.



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4. Considering the nature, facts and circumstances of the case and the allegations made in the FIR that the accused Anjamani is the one who made physical assault against the *de-facto* complainant with knife and that the material part of the investigation might have been over by this time, this Court is inclined to grant anticipatory bail to the petitioners for the reason that, custodial interrogation of the petitioners is not necessary in this case.

5. Accordingly, 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 on which the order copy made ready, before **the learned XVIII Metropolitan Magistrate, Saidapet, Chennai**, on condition that each of the petitioner shall execute a separate 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:



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[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.

17.07.2023

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