



Crl.O.P.No.17936 of 2023

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RMT.TEEKAA RAMAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 294(b), 323, 506(ii) of IPC, in Crime No.299 of 2023 on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the de-facto complainant is an Advocate. On 05.07.2023, he gave a complaint against the petitioner that he went to pick his wife from Airport. At that time the de-facto complainant watched that the petitioner was attacking one person and he is the de-facto complainant area. After attacking that unknown person the petitioner threatened the de-facto complainant by showing knife and threatened to leave that place by using filthy languages and attacked him in chest and back of the shoulder and escaped from the place. Hence the case.



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3. The learned Counsel for the petitioner would submit that there was a wordy quarrel between them and they have not committed any offence as alleged by the prosecution and a false case has been foisted against them. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) submits that there was a wordy quarrel between the petitioner and the de-facto complainant and twelve previous cases has registered against the petitioner and out of which, seven cases are already handed in acquitted in all other cases. However, he opposed for grant of anticipatory bail to the petitioner.

5. Heard both sides and perused the materials available on record including the FIR.

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



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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 XXI Metropolitan Magistrate, Egmore, Chennai - 08**, 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 four weeks;**

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

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