



*Crl.O.P.No.17923 of 2023*

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**WEB C.V.SIVAGNANAM, J.**

The Petitioner, who apprehends arrest at the hands of the Respondent police for the offence punishable under Sections 294(b), 325, 506(1) of IPC in Crime No.124 of 2023 on the file of the Respondent police, seeks anticipatory bail.

2.The case of the prosecution is that the defacto complainant is a contract employee, who is working in the co-operative canteen in the Rippon Building Complex. The defacto complainant has took a loan for a sum of Rs.13,500/- in October 2022 from the Petitioner, who is working as Office Assistant in Taxation Appeal Tribunal, Rippon Building, Chennai. The defacto complainant repaid the same to the Petitioner in March 2023 with interest, but the Petitioner kept disturbing the defacto complainant by asking to pay extra Rs.6,000/- as interest. On 16.06.2023 at about 6.00 P.M. when he was working in canteen, the Petitioner took him inside the room on the second floor, abused him with filthy language and asked to pay extra Rs.6,000/-. Due to which, the Petitioner hit the defacto complainant on the face, resulting in damage to front upper tooth. Hence the complaint.

3.The learned Counsel for the Petitioner would submit that the Petitioner has lent a sum of Rs.13,500/- in October 2022 and the same has not



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been repaid by the defacto complainant, till date. The defacto complainant just to run away from the liability of repayment, made up a false story of assault and gave a complaint to the respondent police. Hence, the learned counsel for the Petitioner prays for grant of anticipatory bail to the Petitioner.

4.The learned Government Advocate (Criminal Side) for the Respondent would submit that the injured was discharged from the hospital. He vehemently opposed to grant anticipatory bail to the Petitioner.

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

6.Taking into consideration the facts and the submissions made by the learned counsel on either sides and the fact that the injured was already discharged from the hospital, this Court is inclined to grant anticipatory 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 Metropolitan Magistrate II, Egmore, Chennai** on condition that the Petitioner shall execute a separate 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



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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 as and when required;**

[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 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.

**14.08.2023**

*sai/spp*



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**V.SIVAGNANAM, J.**

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