



Crl.O.P.No.18313 of 2023

Crl.O.P.No.18313 of 2023

WEB CRI. RMT.TEEKAA RAMAN, J.

The Petitioners, who apprehend arrest at the hands of the Respondent police for the offence punishable under Sections 294(b), 323 & 506(ii) of IPC in Crime No.236 of 2023 on the file of the Respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 24.07.2023 the Petitioners abused and assaulted the defacto-complainant Mr.Ramakrishnan. Due to some misunderstanding between the defacto-complainant and the 1st Petitioner, the 1st Petitioner demanded money from the defacto-complainant, hence there was a wordy quarrel between the 1st Petitioner and the defacto-complainant. Hence the 1st petitioner and other two Petitioners were assaulted the defacto-complainant and the defacto-complainant sustained various injuries and admitted in the hospital. Hence the complaint.

3.The learned Counsel for the Petitioners would submit that due to some previous enmity between the 1st Petitioner and the defacto-complainant, the defacto-complainant lodged a false case against these Petitioners. The Petitioners have not committed any offences as alleged by the defacto-complainant. The Petitioners are no way connected with the present case, their name was falsely implicated in the said case with a intention to harrass them.



Crl.O.P.No.18313 of 2023

Hence, the learned counsel for the Petitioners prays for grant of anticipatory bail to the Petitioners.

4.The learned Government Advocate (Crl. Side) for the Respondent would submit that in this case the injured has already been discharged from the hospital. He is 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 fact that the injured has already been discharge from the hospital, this Court is inclined to grant anticipatory bail to the Petitioners with certain conditions.

7.Accordingly, the 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 V Metropolitan Magistrate, Egmore, Chennai** on condition that the Petitioners 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 Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



Cr1.O.P.No.18313 of 2023

WEB COPY

[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, on everyday at 10.30 am for a period of three weeks and thereafter as and when required;

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

21.08.2023

gyn/sai



WEB COPY



Crl.O.P.No.18313 of 2023

RMT.TEEKAA RAMAN, J.

gvn/sai

Crl.O.P.No.18313 of 2023

21.08.2023