



Crl.O.P.No.18673 of 2023

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WEB C **RMT.TEEKAA RAMAN, J.**

The petitioners, who apprehend arrest for the alleged offences under Sections 147, 148, 294(b), 323, 324 and 506(ii) of IPC in Crime No.191 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that A1 in an inebriated condition assaulted one Masi and when the same was questioned by the defacto complainant, A1 along with other accused abused and assaulted him and his family members with iron rod. Hence the case.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and due to previous enmity, a false complaint has been given against them. He would further submit that it is a case and a case in counter in Crime No.192 of 2023. Hence, he prayed for grant of anticipatory bail to the petitioners.



4. The learned Government Advocate (crl.side) appearing for the respondent Police vehemently opposed to grant anticipatory bail to the petitioners stating that the petitioners joined together and abused the defacto complainant and assaulted him with iron rod and knife and pushed down the wife of the defacto complainant, who is six months at that time. He would also submit that the injured has been discharged from the hospital.

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

6. Taking into consideration the facts of the case and the submissions made by the learned counsel on either side and also of the fact that it is a case and a case in counter, 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 XVIII



Metropolitan Magistrate, 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:

[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 daily at 10.30 a.m., for a period of three weeks and thereafter as and when required for interrogation;

[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



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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;

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