



Crl.O.P.No.21320 of 2023

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WEB CRI. O.P. NO. 21320 OF 2023
RMT.TEEKAA RAMAN, J.

The Petitioner, who apprehends arrest at the hands of the Respondent police for the offence punishable under Sections 147, 294 (b), 341, 353, 332 & 506(i) of IPC in Crime No.196 of 2023 on the file of the Respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 25.07.2023 when the Police went for searching the absconded accused viz., Sanjay, near Power Kuppam Amma Clinic, the Mother, Father, Brother and relatives of Sanjay waylaid the Police and A1/Sanjay used unparliamentary words against the Police and pushed the Head Constable viz., Arun, who got injury on left side knee. Hence the complaint.

3.The learned Counsel for the Petitioner would submit that there are totally seven accused and the present Petitioner is A6 and he is no way connected with the offence as alleged by the prosecution and he was falsely implicated in this case. Hence, the learned counsel for the Petitioner prays for grant of anticipatory bail to the Petitioner.

4.The learned Government Advocate (Crl. Side) for the Respondent would submit that A1 & A2 were already arrested and released on bail in Crl.MP.No.5646 of 2023 by the learned XVI Metropolitan Magistrate, George



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Town, on 28.07.2023 and A6/Petitioner is the neighbour of A1. 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 circumstances of the case and also the submissions made by the learned counsel on either sides and the fact that A1 & A2 were already arrested and released on bail by the trial Court, this Court is inclined to grant anticipatory bail to the Petitioner 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 XVI Metropolitan Magistrate, George Town, 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 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



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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.

20.09.2023

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