



Crl.O.P.No.22337 of 2023

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C.V.KARTHIKEYAN, J.

The petitioners/A4 and A5, who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 147, 148, 294(b), 324, 307, 506(ii) of IPC in Crime No.272 of 2023, seek anticipatory bail.

2. The case of the prosecution is that due to previous enmity, defacto complainant had earlier assaulted one Mr.Raja. Subsequently, the defacto complainant was released on bail on 15.07.2023. On previous enmity, once again there was an assault made by the petitioners herein. Due to that, the defacto complainant sustained multiple injuries. To that effect, a complaint was lodged by the defacto complainant and an FIR has been registered by the respondent police as against the petitioners herein.

3. The learned counsel for the petitioners stated that the petitioners have been arrayed as A4 and A5 in this case. He also stated that the petitioners herein were not at all present in the scene of



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occurrence. He further stated that they have been falsely implicated in this case. Thus, they pray for grant of anticipatory bail.

4. It is stated by the learned Government Advocate (Criminal Side) that the co-accused has been granted bail and the injured has been discharged from the hospital.

5. Taking into consideration the fact that the co-accused have been granted bail and the fact that the injured also discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners herein with certain conditions. 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 Judicial Metropolitan Magistrate at 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:



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[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., until further orders.

[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]**.



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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