



Crl.O.P.No.23020 of 2023

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C.V.KARTHIKEYAN,J.

The petitioner seeks anticipatory bail in Crime No.178 of 2023 registered by the respondent police for the offence punishable under Sections 294(b), 323, 324, 354, 341 & 506(i) of IPC on 17.09.2023.

2. It is stated that the petitioner and the defacto complainant are neighbours and there were consistent dispute between two of them. It is stated that the petitioner had thrown garbage on the house of the defacto complainant.

3. It is also stated that there are two previous cases pending against the petitioner herein.

4. Taking into consideration the fact that the dispute is primarily civil in nature, which had escalated into quarrel and assault, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions:



Crl.O.P.No.23020 of 2023

5. 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 **II Metropolitan Magistrate, Egmore, Chennai**, on condition that the petitioner shall execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties 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 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 two weeks and thereafter, as and when required for interrogation.

[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.



Crl.O.P.No.23020 of 2023

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

10.10.2023

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Crl.O.P.No.23020 of 2023

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