



WEB COPY



Crl.O.P.No.24837 of 2023

**Crl.O.P.No.24837 of 2023**

**R.KALAIMATHI.,J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 341, 294(b), 323, 324 and 506(ii) of IPC in Crime No.144 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the petitioners along with other accused assaulted the defacto complainant due to which, he sustained injuries and abused him in a filthy language and also threatened him with dire consequences. Hence, the case.

3. The learned counsel for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and a false case has been foisted against them for statistical purpose. Hence, he prayed for grant of anticipatory bail to the petitioners.



Crl.O.P.No.24837 of 2023

WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for the respondent police submitted that the petitioners assaulted the defacto complainant, due to which he sustained injuries on his head and nose. He further submitted that the injured has been discharged from the hospital. However, he opposed for grant of anticipatory bail to the petitioners.

5. Considering the facts, nature and circumstances of the case that the injured victim has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioners for the reason that, custodial interrogation of the petitioners are not necessary in this case.

6. Accordingly, 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 XV Metropolitan Magistrate Court, George Town, 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



Crl.O.P.No.24837 of 2023

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 everyday 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].



WEB COPY



Crl.O.P.No.24837 of 2023

**R.KALAIMATHI. J.**

nr/nti

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

**26.10.2023**

nr/nti

**Crl.O.P.No.24837 of 2023**