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CrI.O.P.No.24964 of 2023

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R. KALAIMATHI, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 323 & 506(ii) IPC in Crime No.702 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the defacto complainant has borrowed some money from Accused No.1 and subsequently, the defacto complainant failed to repay the same. Hence, the Accused No.1 along with the other accused came to the place of the Defacto Complainant and sought for the return of the money. While so, the accused persons attacked the defacto complainant with wooden log and threatened him with dire consequences. Hence, the complaint

3. The learned counsel appearing for the petitioners submitted that the petitioners are innocent persons and they have not committed any



Crl.O.P.No.24964 of 2023

WEB COPY

offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioners.

4.The learned Government Advocate (Crl. Side) would submit that due to money dispute between the parties, the petitioners had attacked the defacto complainant with wooden log causing injuries to the defacto complainant. Further, he submitted that the defacto complainant was treated as out patient and was discharged from the hospital on the very day. However, he opposed to grant 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 is not necessary in this case.

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of



Crl.O.P.No.24964 of 2023

fifteen days from the date on which the order copy made ready, before the learned **XXIII Metropolitan Magistrate Court, Saidapet** 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 everyday at 10.00 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.



Crl.O.P.No.24964 of 2023

R. KALAIMATHI, J.

Tsg/shl

[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].

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

26.10.2023

Tsg/shl

Crl.O.P.No.24964 of 2023