



Crl.O.P.No.29124 of 2023

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WEB COPY **P.DHANABAL, J.**

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 324 and 506(2) of IPC in Crime No.706 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that on 08.12.2023, at about 8.00 pm, when the defacto complainant was walking near the Royal Salon opposite Vasuki Nagar Park, one Yogesh along with other accused persons attacked the defacto complainant using knife, due to which, he sustained injuries and also threatened him in a filthy language. Hence, the case.

3. The learned counsel for the petitioners would contend that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) would submit that the accused persons attacked the defacto complainant using knife due to



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which, he sustained injuries. He would also submit that the victim is discharged from the hospital on 13.12.2023. However, he vehemently opposed to grant anticipatory bail to the petitioners.

5. Heard both sides and perused the materials available on record.

6. Considering the rival submissions on either side and considering the fact that the injured is discharged from the hospital and also the fact that except offence under Section 506(ii) IPC, all other offences are bailable in nature and no previous case is pending against the petitioners, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions.

7. 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 X Metropolitan Magistrate Court, 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 learned Magistrate concerned and on further condition

that:



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**WEB COPY [a] the petitioners shall report before the respondent police daily at 10.30 a.m., for a period of thirty days and thereafter as and when required for interrogation.**

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners shall not abscond either during investigation or trial.

[d] 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].

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

**28.12.2023**

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**28.12.2023**