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Crl.O.P.No.11636 of 2024

T.V.THAMILSELVI, J.

The petitioner who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 427 **IPC** in Crime number unknown of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused persons attacked and abused the victim. Hence, the case.

3. The learned counsel for the petitioner submits that while playing in the park children of the defacto complainant abused the petitioner due to which there was a quarrel arosed on that day. Hence, he gave a complaint against them but it was taken into consideration by the respondent police. On the other hand, the respondent police taken the defacto complainant's complaint. Hence, he prayed to allow this petition.

4. The learned Government Advocate (Crl. side) submits that the FIR was registered against the petitioner in crime No. 142 of 2024.



In spite of the request made by the respondent police, the husband of the petitioner has not attended the enquiry. In fact, after filing the present FIR, they filed the complaint as if the defacto complainant's children abused him by showing wrong gesture.

5. On seeing the facts of the case, it reveals that all were tenant in apartment. There was a wordy quarrel between their children while playing in the park and thereafter both of them interacted in the presence of the apartment secretary at that time all of them abused each other. Further, the investigation is almost completed. Hence, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

5. Accordingly, the petitioner is 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 Metropolitan Magistrate Court, Egmore, Chennai**, on condition that the petitioner 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 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 on every Tuesday and Saturday at 10.30 .am for a period of two months and thereafter as and when required for interrogation. Further, the petitioner shall not have any communication with the victim.

[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.

[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



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

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