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CrI.O.P.No.11815 of 2024

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C.V.KARTHIKEYAN, J.

The petitioner/A1 who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 324 and 506(ii) of IPC in Crime No.469 of 2023, seeks anticipatory bail.

2.It is stated that the defacto complainant had stated that he and his wife were living separately owing to family issues. The defacto complainant is living with his mother separately. It is stated that the petitioner is the younger son of the defacto complainant and he had demanded a share in the ancestral property and in the course of that demand, the quarrel escalated into violence. The petitioner and his friend/A2 had assaulted the defacto complainant.

3.The learned Government Advocate (Criminal Side) stated that there are six previous cases against the petitioner.

4.Earlier petition seeking anticipatory bail was dismissed on



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23.01.2024 in Crl.O.P.No.854 of 2024. The one significant change in circumstance is that A2 had been subsequently arrested and had been granted bail.

5.Taking into consideration the fact that co-accused had been granted bail, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:

6.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 learned X 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 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:



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[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., until further orders.

[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 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.

13.06.2024

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