



Crl.O.P.No.12107 of 2024

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S.SOUNTHAR, J.

The petitioner who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 323, 341, 324 and 307 IPC, in Crime No.1070 of 2020, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that, due to previous enmity, on 25.07.2020 at about 3.00 p.m., the petitioner along with other accused, attacked the defacto complainant with knife due to which, he sustained injuries. Hence, the case.

3. The learned counsel for the petitioner stated that the petitioner is no way connected with this case and that he was not present at the scene of occurrence. Since the petitioner has got some previous cases against him, he has been falsely implicated in this case. He further submitted that the other co-accused/A1, A3 to A7 have been released on bail by the Principal Sessions Court, Chennai. Thus, he seeks anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal side) stated that the injured has been discharged from the hospital. He further submitted that there are



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seven previous cases against the petitioner. Hence, he prays for dismissal of this petition.

5. Having regard to the nature of allegations made against the petitioner and also of the fact that the injured has been discharged from the hospital and that the other co-accused have been released on 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 XVI Metropolitan Magistrate, George Town, 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:

[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.



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

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