



Crl.O.P.No.12291 of 2024

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C.SARAVANAN, J.

The petitioner apprehends arrest by the respondent police for the alleged offences under Sections 294(b), 355, 323, 324 and 506(i) of Indian Penal Code, 1860 in Crime No.250 of 2024, the petitioner is before this Court and seeks an order of anticipatory bail under Section 438 of Cr.P.C.

2. The case of the prosecution is that on 16.05.2024, the defacto complainant, Egavalli and the petitioner herein had indulged in wordy quarrel, subsequently, the petitioner along with other accused had abused the defacto complainant using filthy language and threatened her with dire consequences.

3. The learned counsel for the petitioner would submit that the petitioner is innocent and had not committed any offence as alleged by the prosecution. It is also further submitted that the petitioner has also



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filed a complaint against the defacto complainant in Crime No.251 of 2024. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that both petitioner and defacto complainant are doing vending eatables and fish items at the same place and due to previous enmity on account of the nature of the business carried out by them, they have indulged in wordy quarrel and violence. He also submitted that due to violence, the defacto complainant had suffered simple injuries and confirmed that the same was treated and was also discharged from the hospital. Therefore, he vehemently opposed to the grant of anticipatory bail to the petitioner.

5. It is seen that the petitioner and the defacto complainant on account of their place and nature of business carried out, had indulged in wordy quarrel and violence. Therefore, considering the submissions made by the learned counsel for the petitioner and learned Government Advocate (Crl. Side) and also considering the fact that the petitioner is the only bread winner of her family and her age, this Court is inclined to



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grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner shall be released on bail in the event of arrest or on his appearance immediately on the following conditions :-

[a] the petitioner shall appear before the XVI Metropolitan Magistrate Court, George Town, Chennai within a period of fifteen days from the date on which the order copy made ready.

[b] 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.

[c] 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.

[d] the petitioner shall report before the respondent police at 10.30 AM on every Saturday for a period of two months and thereafter as and when required for interrogation.



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[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] the petitioner shall not abscond either during investigation or trial.

[g] 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]**.

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

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