



Crl.O.P.No.12397 of 2024

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C.SARAVANAN, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 323, 324 and 506(ii) of IPC in Crime No.428 of 2023, seeks anticipatory bail.

2. The case of the prosecution is that the due to previous enmity, the petitioner abused and attacked the defacto complainant and his brother. Hence, the case.

3. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case. He further submits that the petitioner is an innocent person. Hence, he prays for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Criminal Side) submits that the due to previous enmity, the petitioner abused and attacked the defacto complainant and his brother. She further submits that there are seven previous cases are pending against the petitioner.



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5. It is seen that though the petitioner has seven previous cases of similar nature, in some of which, he has been acquitted and in some of the other cases, the proceedings are still pending.

6. Considering the above facts and circumstance of the case, this Court is inclined to grant anticipatory bail to the petitioner subject to a condition that the petitioner has to donate a sum of Rs.15,000/- to the Adyar Cancer Institute, Adyar, Chennai, without prejudice to his defence.

7. Accordingly, the petitioner is directed to donate a sum of Rs.15,000/- (Rupees fifteen thousand only) to the Adyar Cancer Institute, Adyar, Chennai and on production of proof for the same, 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 is made ready, before the learned V 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 am for a period of two weeks and thereafter, as and when required for interrogation;

[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.

24.05.2024

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