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Crl.O.P.No.12436 of 2024

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C.SARAVANAN, J.

The petitioner / A2 apprehends arrest at the hands of the respondent police for the offences punishable under Sections 341, 294(b), 332, 353 and 502(2) of IPC in Crime No.127 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the 1st accused, in inebriated condition, created public nuisance. When the defacto complainant / Police Constable, who was in the patrol duty, questioned the act of the accused, they abused and attacked the defacto complainant. Hence, the case.

3. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. He further submits that bail had been granted to the 1st accused / Ajithkumar by the learned XXIII Additional District and Sessions Judge, Chennai vide order dated 15.05.2024 in Crl.M.P.No.13795 of 2024. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. Learned Government Advocate (Criminal Side) also confirms the above fact that A1 had been granted bail by the learned XXIII Additional District and Sessions Judge, Chennai vide order dated 15.05.2024 in CrI.M.P.No.13795 of 2024. It is seen that the petitioner has no other history of getting involved in any criminal case.

5. 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.10,000/- to the recognized orphanage in Chennai District, without prejudice to his defence.

6. Accordingly, the petitioner is directed to donate a sum of Rs.10,000/- (Rupees ten thousand only) to a recognized orphanage in Chennai District 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 Metropolitan Magistrate – II, Egmore, Chennai. 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



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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 appear before the learned II Metropolitan Magistrate 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.

24.05.2024

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