



Crl.O.P.No.12579 of 2024

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WEB C **C.SARAVANAN, J.**

The petitioner apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 294(b), 323, 324 and 506(ii) of the Indian Penal Code in Crime No.121 of 2024.

2. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) accepting notice for the respondent.

3. The case of the prosecution is that the de-facto complainant is running a bangle's shop at T.Nagar and that on 17.5.2024 at about 2.15 P.M., the petitioner along with the other accused entered into a wordy quarrel while purchasing studs and also assaulted the de-facto complainant and other persons with hands. Hence the complaint.

4. The learned counsel for the petitioner would submit that the petitioner is an innocent person and that he is in no way connected with the case in Crime No.121 of 2024 for the offences as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioner.



5. The learned Government Advocate (Crl. Side) appearing for the respondent submits that the petitioner is the 5th accused in Crime No.121 of 2024 although his name was not mentioned in the first information report. She also confirms that the injured has been discharged from the hospital after treatment for the injuries caused by the accused. However, she vehemently opposed to grant anticipatory bail to the petitioner.

6. Considering the above facts and circumstances of the case, as the injured has already been discharged from the hospital and also considering the other the submissions made by either sides, this Court is inclined to grant anticipatory bail to the petitioner. Accordingly, the petitioner is directed to be released on bail, in the event of arrest or on his appearance, subject to the following conditions :-

[a] the petitioner shall appear before **learned XVII Metropolitan Magistrate, Saidapet, Chennai-15** within a period of fifteen days from the date on which the order copy is 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



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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 pay a sum of Rs.5,000/- (Rupees Five thousand only) to the de-facto complainant and the proof of payment has to be produced before the concerned Court at the time of execution of bail bond.

[e] the petitioner shall report before the respondent police daily at 10.30 a.m. for a period of two weeks and thereafter as and when required for interrogation.

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

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

[h] 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 has been 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]**.

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

24.05.2024

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C.SARAVANAN, J.



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