



Crl.O.P.No.13715 of 2024

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T.V.TAMIILSELVI, J.,

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offences punishable under Sections 147, 148, 448, 294(b), 323, 324, 427 and 506(ii) of IPC, 1860 in Crime No.255 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution as per the de-facto complainant is that the petitioner is a law college final year student and due to wordy quarrel between the petitioner and the defacto complainant, the petitioner along with other accused, had committed criminal trespass by entering into the defacto complainant's house and abused him with filthy language and also assaulted him with hands, knife and belt and thereby, caused head injury to him. Further, he threatened the defacto complainant with dire consequences and also caused damages to the household things. Hence the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that the petitioner is ready to abide by any stringent



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conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that due to wordy quarrel between the petitioner and the defacto complainant, the petitioner along with other accused, trespassed in the house of the defacto complainant and abused him with filthy language and assaulted him with hands, knife and belt and caused head injury to him and also caused damages to the household things. He further submits that co-accused in this case have already released on anticipatory bail. However, he opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel and also considering the fact that the injured has been discharged from the hospital, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate-II, Chengalpattu**, 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 and on further condition that:

[a] the petitioner is directed to deposit a sum of **Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.255 of 2024, within a period of two weeks from the date of receipt of a copy of this order and shall produce the said receipt before the Court below; and on such deposit, the victim is permitted to withdraw the same, on filing "undertaking affidavit and proper identification and acknowledgment."**

[b] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



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[c] the petitioner shall report before the respondent police as and when required for interrogation;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] the petitioner shall not abscond either during investigation or trial;

[f] 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 has been imposed and the petitioner is released on anticipatory 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]*; and;

[g] if the accused thereafter absconds, a fresh FIR can be registered under Section 229-A IPC;

12.06.2024

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