



Crl.O.P.No.13545 of 2024

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T.V.THAMILSELVI, J.

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 147, 148, 341, 294(b), 323, 324, 336, 307 and 506(ii) of IPC and Section 3 of the Public Property (Prevention of Damage) Act, 1992 in Crime No.180 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant was running a tiffin shop. The petitioner came to the said shop and demanded chatni and sambar. But the defacto complainant refused to give chatni and sambar. Hence, a wordy quarrel arose between them and the petitioner assaulted the defacto complainant with helmet and stone and abused him in filthy language. Hence, this case.

3. The learned counsel appearing for the petitioner submit that the petitioner is an innocent person and he has not committed any offence as alleged by the prosecution. Hence, he prays for grant of anticipatory bail to the petitioner.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent submitted that there was a wordy quarrel between the petitioner and the defacto complainant, due to which, the petitioner attacked the defacto complainant and he got injured. Hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner subject to the following conditions.

6. Accordingly, the petitioner is directed to **deposit a sum of Rs.10,000/- (Rupees Ten Thousand only) to the credit of Crime No.180 of 2024 within a period of two weeks from the date of receipt of a copy of this order before the learned Judicial Magistrate Court, Ambattur, Chennai** and the defacto complainant is permitted to withdraw on undertaking and on such deposit, the petitioner is ordered to be released on anticipatory bail in the event of arrest or on his appearance



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before the **learned Judicial Magistrate Court, Ambattur, Chennai** on

condition that the petitioner shall execute a separate 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:

[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 is directed to report before the respondent police on every Saturday at 10.30 a.m., 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.

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[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.

12.06.2024

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