



Crl.O.P.No.17466 of 2024

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T.V.THAMILSELVI,J.

The petitioner, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 147, 148, 341, 294(b), 323, 307, 506(ii) of IPC, in Crime No.256 of 2024, seeks anticipatory bail.

2. Learned counsel appearing for the petitioner submitted that the petitioner, aged 19 years, is an innocent person and he has been falsely implicated in this case whereas he has not committed any offence as alleged by the prosecution. He also submitted that the defacto complainant involved in selling of ganja, due to which, there was a enmity between the accused persons and the defacto complainant petitioner, since the accused persons are friends of the petitioner, and in order to take revenge, the defacto complainant gave a false complaint against the petitioner. He further submitted that the petitioner is ready to abide by any conditions that may be imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.



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3. Learned Government Advocate (CrI.Side) appearing for the respondent submitted that the petitioner and the defacto complainant are residing in the same street. On the date of incident, the petitioner along with his friend intercepted the defacto complainant, abused him for questioning the petitioner for driving in a rash manner, for which, the petitioner along with other accused persons attacked the defacto complainant with knife, due to which, he got 40 stitches on his head and two cut injuries, thereby he was admitted in the hospital. He further submitted that there are 9 accused in this case, and the petitioners A1, A2, A4, A5, A7 have been arrested and the petitioner is still absconding. He further submitted that the petitioner has no previous case pending against him. However, he vehemently opposed for the grant of anticipatory bail to the petitioner.

4. Taking into consideration the facts and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.



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5. Accordingly, the petitioner is ordered to be released on 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 Metropolitan Magistrate No.X, 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 (out of which, one surety must be a blood related surety) 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 shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Crime No.256 of 2024, before the concerned Court, within a period of two weeks from the date of receipt of a copy of this order and on such deposit, the defacto complainant is permitted to withdraw the amount by filing necessary 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 on every Sunday at 10.30 a.m, for a period of three months and thereafter 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 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;

26.07.2024

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