



Crl.O.P.No.17469 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 offences punishable under Sections 296(2), 118(1), 351(3) of the Bharathiya Nyaya Sanhita (BNS) 2024, in Crime No.63 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that there was a previous enmity between them, the petitioner along with other accused persons had attacked the defacto complainant and caused injuries. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the investigation is almost completed. Hence, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the facts and circumstances of the case and also the fact that the investigation is almost completed and the petitioner is ready and willing to deposit some amount to the credit of crime number



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to show his bonafide, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is directed to deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Crime No.63 of 2024, within a period of two weeks from the date on which the order copy made ready, and on such deposit, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, before **the learned Judicial Magistrate Court No.1, Mannargudi**, on further 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, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the petitioner shall deposit a sum of Rs.5,000/- (Rupees Five Thousand only) to the credit of Cr.No.63 of 2024 before the trial Court, within a period of two weeks from the date on which the order copy made ready. On such deposit, the defacto complainant is permitted the withdraw the said amount by filing necessary affidavit before the trial Court.



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[b] 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.

[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 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]**.

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

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