



Crl. O.P. No.19706 of 2024

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P.DHANABAL.J.,

The petitioner apprehends arrest for the alleged offence under Sections 147, 148, 294(b), 324, 364, 384, 506(ii) of IPC in Crime No.138 of 2024, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that on 24.05.2024 at about 12.45 p.m., the defacto complainant along with his friend, was driving in his Hyundai Venue vehicle, the accused came in another vehicle dashed the vehicle of the defacto complainant and went from the spot and when the same was questioned by the defacto complainant, they abused him with filthy language, had taken Tripod Camera stand, chain, watch, cellphone from the defacto complainant, attacked the friend of the defacto complainant and taken the defacto complainant and his friend in an another car compulsorily behind FB Cakes, Marina mall opposite and on the instigation of the petitioner herein, one of the accused using iron rod, wooden log and knife, caused injury to the defacto complainant on his hands and forehead and also criminally intimidated him. Hence the case.

3.The learned counsel for the petitioner would contend that the



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petitioners are innocent persons and they have not indulged in any commission of offences as alleged by the defacto complainant and false case has been foisted against the petitioners and hence he seeks anticipatory bail to the petitioners.

4.The learned Government Advocate (Criminal side) would contend that the petitioner and the defacto complainant had love affair and when the defacto complainant and his friend were travelling in their vehicle, the accused persons had rashly driven their vehicle and dashed the defacto complainant's vehicle and word quarrel arose between the parties and had taken away Tripod Camera stand, chain, cellphone, watch and ear studs worth about Rs.50,000/- and a gang of accused persons including this petitioner, had attacked the defacto complainant using wooden log, knife, iron rod and caused injury in the hands and forehead of the defacto complainant. Hence the case was registered against the accused for the offences under Sections 147, 148, 294(b), 324, 364, 384 and 506(ii) of IPC. The petitioner is arrayed as A6. Investigation is still pending. Hence he strongly opposed to grant anticipatory bail to the petitioner. The learned Advocate (Criminal Side) appearing for the State would further submit that there is a case in counter, the injured person was discharged from the



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hospital and the co-accused A1 and A3 were granted bail and A2 was released on anticipatory bail.

5. Heard both sides. Perused all the materials available on record.

6. Considering the representation made on either side, considering the dispute between the parties in respect of money and also considering the fact that there is a case in counter, considering the fact that co-accused were already released on bail, considering the fact that the injured was already discharged from the hospital and also considering the fact that there is no previous case against the petitioner, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on her appearance, within a period of fifteen (15) days from the date on which the order copy made ready, before the learned **District Munsif cum Judicial Magistrate, Sholinganallur, Chennai**, 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 learned Magistrate concerned, and on further conditions



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that:

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[a] the petitioner shall report before the respondent police on every Sunday for four weeks and thereafter, as and when required for interrogation;

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

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

[d] 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 v. State of Kerala [(2005) AIR SCW 5560]*.

[e] if the accused thereafter absconds, a fresh FIR can be registered under Section 269 of the B.N.S.

16.08.2024.

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To

- 1.The District Munsif cum Judicial Magistrate, Sholinganallur, Chennai.
- 2.The Inspector of Police, Semmencherry Police Station, Chennai.
- 3.The Public Prosecutor, High Court, Madras-600 104.

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