



Crl. O.P. No.20219 of 2024

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P.DHANABAL.J.,

The petitioner apprehend arrest for the alleged offence under Sections 294(b), 324, 341 and 506(ii) of IPC in Crime No.349 of 2023, on the file of the respondent police seeks anticipatory bail.

2.The case of the prosecution is that the on 29.11.2023 at 8 hours, when the defacto complainant was at condolence of his friend, the petitioner along with other accused made dispute with him and when the defacto complainant proceeded for cremation of dead body, in the procession via Triplicane High Way, near Rajesh Tea Stall, the accused persons waylaid and abused him with filthy language. Further the accused Ajay Rahul and Vicky caught hold the defacto complainant and Fairoz khan cut his hand with knife and Sasikumar slapped on his left cheek and all the accused threatened the defacto complainant with dire consequences. Hence the case.

3.The learned counsel for the petitioner would contend that the petitioner is an innocent and he has not committed any offence as alleged in the FIR and he has been falsely implicated in this case and hence he



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seeks anticipatory bail to the petitioner.

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4.The learned Government Advocate (Criminal Side) would submit that on 29.11.2023, the accused had been involved in wordy quarrel with the defacto complainant and in continuation of which, the accused restrained him, abused him with filthy language and this petitioner caught hold the hands of the defacto complainant and the accused have slapped and caused injury to the defacto complainant using knife and there is specific overt act with regard to the petitioner and therefore, he objected to grant anticipatory bail to the petitioner. He would further contend that injured person was discharged from the hospital and the co-accused were released on bail.

5.Heard both side and perused the materials available on record.

6.Considering the rival submissions on either side and considering the fact that the injured person was discharged from the hospital after taking treatment for simple injury, that the co-accused were released on bail and taking into consideration except the offence under Section 506(ii) of IPC, all other offences are bailable in nature,, I am inclined to grant



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anticipatory bail to the petitioner, subject to the following conditions:

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7. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **II Metropolitan Magistrate, Egmore, Chennai** on condition that the petitioners shall each 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 condition that:

[a] the petitioner shall report before the respondent police on every Saturday for four weeks.

[b] the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

[c] the petitioner shall not leave India without the previous permission of the Court;

[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 269 B.N.S.2023.

21.08.2024

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To

- 1.The II Metropolitan Magistrate, Egmore, Chennai.
2. The Inspector of Police, D3 Ice House Police Station, Chennai.
3. The Public Prosecutor, High Court, Madras.



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