



Crl. O.P. No.19601 of 2024

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P. DHANABAL.J.,

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 191(2), 191(3), 126(2), 296(b), 115(2), 118(1), 351(3) of B.N.S. in Cr. No.204 of 2024 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that on 01.08.2024, the defacto complainant, who is an Engineer working at Corent Technical Solutions, Guindy, visited the TASMACH at 10.30 p.m., along with her friends and thereafter he went to Pizza Hut, Urban Square at 1.30 a.m., and was sitting along with his friends, the petitioner herein and Ibrahim Kaleefathulla, who were sitting in the opposite side of the petitioner, teased the petitioner, which lead to wordy quarrel between them. In continuation of the said quarrel, the said Ibrahim Kaleefathulla, Ganeshraj, Lokesh, Gopi, Abdul Khader suddenly restrained the defacto complainant and Ibrahim abused him with filthy language and when the defacto complainant, asked about the same, Ganesh Raj assaulted the defacto complainant and his friend Prabhu using iron chair and caused blood injury in the head of the defacto complainant and further intimidated the defacto complainant with dire consequences. Hence the case.



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3. The learned counsel appearing for the petitioner would contend that the petitioner is a college going girl and she has not committed any offence as alleged in the FIR and the petitioner has not indulged in any other criminal activities. Hence the petitioner may be granted anticipatory bail.

4. The learned Government Advocate (Criminal side) would contend that the petitioner was very well present in the scene of occurrence and she was responsible for the fight between the parties. The petitioner along with other accused assaulted the defacto complainant using iron chair and caused blood injury in his head and also threatened him with dire consequences. Investigation is not completed. Hence he objected to grant anticipatory bail to the petitioner. The learned Advocate for State would further submit that the injured person was discharged from the hospital and there is no previous case against the petitioner.

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

6. Considering the rival submissions put forth on either side, considering the nature of offences, considering the fact that there is no



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previous case pending against the petitioner and considering the fact the injured person was discharged from the hospital, 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 **Judicial Magistrate No.I, Alandur** 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 that:

[a] the petitioner shall report before the respondent police on every Sunday at 10.00 am. 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



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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.

mjs

To

1. The Judicial Magistrate No.I, Alandur.
2. The Inspector of Police, St. Thomas Mount Police Station, Chennai.
3. The Public Prosecutor, High Court, Madras-600 104.



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