

**Crl.O.P.No.20330 of 2024**

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P.DHANABAL, J.

The petitioner apprehends arrest for the alleged offences under Sections 296, 115 (2), 324 (4) of the B.N.S.Act in Crime No.211 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that the *de facto* complainant is running a shop and two unknown persons came to his shop and asked the *de facto* complainant to do welding work. As the *de facto* complainant refused to do stating that the welder was not available, he was assaulted by the two unknown persons with a beer bottle. Hence, the complainant.

3. The learned counsel appearing for the petitioner submits that the petitioner's vehicle suddenly got repaired and when he approached the *de facto* complaints shop for repair, the *de facto* complainant refused to do so and there was a verbally quarrel and subsequently, the petitioner was beaten up by the *de facto* complainant and he sustained injuries and was admitted as inpatient. He further submitted that the petitioner had not



committed any offence as alleged and the petitioner had been falsely implicated in this case and hence, he prayed to grant anticipatory bail to the petitioner .

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the *de facto* complainant is running a shop and two unknown persons came to his shop and asked the *de facto* complainant to do welding work. As the *de facto* complainant refused to do stating that the welder was not available, he was assaulted by the two accused persons with a beer bottle and hence, he opposed for grant of anticipatory bail to the petitioner.

5. Considering the representations made by both sides and considering the nature of offences charged against the petitioner and as the injured was discharged from hospital and that there is no previous cases as against the petitioner, this Court is inclined to grant **anticipatory bail** to the petitioner with certain conditions.

6. 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 ***II***

Metropolitan Magistrate, Egmore, Chennai on condition that the petitioner shall execute a bond for a sum of Rs.10,000/- (each) (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 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 of 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.

[e] the petitioner shall make himself/herself available for interrogation by a police officer as and when required.



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[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 269 B.N.S.

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