



Crl.OP.No.20281 of 2024

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P. DHANABAL, J.

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The petitioner / accused, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 126(2), 132, 351(3) of BNS, in Crime No.126 of 2024, on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution is that the *de facto* complainant is working as a temporary staff in the Chennai Corporation and while he went to a locality along with Corporation officials to secure the runabout cows, they were restrained by the petitioner from discharging their duties and the petitioner had thumped the *de facto* complainant in his chest and threatened him with dire consequences. Hence the complaint.

3. The learned counsel for the petitioner would contend that the petitioner is innocent and he has not involved in the offences as alleged by the prosecution and the respondent police had falsely implicated him in this case. He would further submit that there was only a wordy quarrel between the petitioner and the *de facto* complainant. Hence, he prays to grant anticipatory bail to the petitioner.



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4. The Government Advocate (Criminal side) for the respondent would submit that there was a wordy quarrel between the petitioner and the petitioner had attacked the *de facto* complainant with his hands and the *de facto* complainant sustained simple injuries and he was discharged from hospital. He would further submit that there are no previous case against the petitioner. However, he opposed to grant anticipatory bail to the petitioner.

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

6. Considering the nature of offences and considering the nature of injury i.e. simple injury and the injured was discharged from hospital and also considering the fact that there are no previous cases against the petitioner, I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, this Criminal Original Petition is **allowed** and the petitioner is ordered to be released on anticipatory bail in the event of his arrest or on his appearance, within a period of fifteen days from the date on which the order copy made ready, before the learned **XIII Metropolitan Magistrate Court, Egmore, Chennai**, on condition that



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the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten

Thousand only), with two sureties 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 at 10.30 a.m. for a period of 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.

[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]***.



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[f] If the accused thereafter absconds, a fresh FIR can be registered

under Section 269 B.N.S.2023.

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22.08.2024



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1. The XIII Metropolitan Magistrate Court,
Egmore, Chennai
2. The Inspector of Police,
D-1, Anna Square Police Station,
Chennai.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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