



Crl.O.P.No. 20491 of 2024

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P. DHANABAL, J

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The petitioner, who apprehends arrest for the alleged offences punishable under Sections 191(2), 191(3), 126(2), 296(b), 15(2), 118(1) 125, 351(3), 109 and 49 of the Bharatiya Nyaya Sanhita (BNS), 2023 in Crime No. 217 of 2024 on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the petitioner along with other accused assaulted the de-facto complainant and his friend with wooden logs to previous enmity and abused them with filthy language. The victim has been injured and subsequently, he was hospitalized. Hence, the complaint.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any offence as alleged by the prosecution and he has been falsely implicated in this case. He further submitted that A-3 and A-4 were arrested and released on bail. Therefore, he prays for grant of anticipatory bail to the petitioner.



4. The learned Government Advocate (Criminal Side) appearing for the respondent submitted the petitioner along with other accused assaulted the de-facto complainant and his friend with wooden logs due to previous enmity and abused them with filthy language. He further submitted that victim has been discharged from the hospital and one previous case is pending against the petitioner. However, he vehemently opposed for grant of anticipatory bail to the petitioner.

5. Considering the above submissions made by the learned Counsel on either side, the victim has been discharged from the hospital and co-accused were already released on bail and also considering all other aspects, 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 ***learned District Munsif cum Judicial Magistrate, Neyveli*** on condition that the petitioner shall execute a separate 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 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 at 10.30 a.m. for a period of four weeks and thereafter as and when required for interrogation;

[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



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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.

28.08.2024

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1. The District Munsif cum Judicial Magistrate, Neyveli.
2. The Inspector of Police,
Neyveli Township Police Station,
Cuddalore District.
3. The Public Prosecutor, High Court, Madras.



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Crl.O.P.No. 20795 of 2024

28.08.2024