



Crl.O.P.No.21062 of 2024

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P.DHANABAL, J.

The petitioner apprehends arrest for the alleged offences under Sections 294(b), 307, 506(2) of IPC and in Crime No.377 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the complainant was joined as worker in the Roadside Briyani shop running by first accused. Due to non payment of salary, he left the job and consequently one Kamesh who also a worker of the above shop, stopped working. Therefore the complainant and said Kamesh planned to open a new briyani shop. After knowing that information, the first accused along with his friends were threatened to kill the complainant, if the complainant open the Briyani Shop. While so, the first accused along with petitioner/second accused and third accused threatened and attacked the complainant on his head. Due that complainant sustained injuries in his head. Hence, the complaint.



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3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He further submitted that first accused attacked the complainant with knife on his head and the petitioner is not at all present at the scene of occurrence, the only reason of implication of the petitioner is that he is the friend of first accused and the petitioner is willing to furnish substantial sureties for his due release and abide by any condition that may be imposed by this Court and therefore, he prayed to grant anticipatory bail to the petitioner .

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner along with first and third accused threatened and attacked the complainant with knife. Due to that complainant sustained injuries in his head and further, considering the gravity of offence, 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 the hospital and that the co-accused were



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released on bail, 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/her appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the ***Judicial Magistrate I, Chengalpattu***, 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 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 daily at 10.30 a.m. until further orders;**

[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.



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[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.

[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 petitioner thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

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