



Crl.O.P.No.20806 of 2024

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**P.DHANABAL,J.**

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The petitioner who apprehends arrest at the hands of the respondent police for the alleged offences under Sections 294(b), 115(2), 118(2), 324(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023, in Crime No.537 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that on 11.08.2024, when the defacto complainant's friend tried to enter into the petitioner's house, the petitioner had threatened her and abused her with filthy language and when the defacto complainant questioned the same, the petitioner and other accused have attacked the defacto complainant with wooden log. Hence, the case.

3. The learned counsel appearing for the petitioner submitted that the petitioner has not committed any such offence as alleged by the prosecution and he has been falsely implicated in this case. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) appearing for the



respondent police submitted that the petitioner along with other accused attacked the defacto complainant, due to which, the defacto complainant sustained simple injury and now the defacto complainant has been discharged from the hospital. He further submitted that two previous cases are pending as against the petitioner.

5. Considering the submissions of both sides and also of the fact that the victim has been discharged from the hospital, the nature of offences and the petitioner has already been granted bail in the previous cases, 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, Madhavaram**, 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:



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**[a] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m. until further orders.**

[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 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

**29.08.2024**

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To

1. The District Munsif cum Judicial Magistrate, Madhavaram.
2. The Sub Inspector of Police, M-1, Madhavaram Police Station, Chennai.
3. The Public Prosecutor, High Court, Madras.



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