



Crl. O.P. No.20813 of 2024

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WEB C P. DHANABAL, J.

The petitioners apprehend arrest for the alleged offence under Sections 192(2), 296(b), 74, 351(2) of B.N.S in Crime No. 204 of 2024, on the file of the respondent police seek anticipatory bail.

2.The case of the prosecution is that there was a quarrel between the petitioners and the defacto complainant and it is alleged that the petitioners assaulted the defacto complainant with hands and also abused them in unparliamentary words. Hence, the complaint.

3.The learned counsel for the petitioners would submit that the petitioners are innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Criminal Side) would submit that it is a case in counter and that there was a previous enmity between the petitioners and the de-facto complainant. He further submitted that



Crl. O.P. No.20813 of 2024

petitioners attacked the defacto complainant and caused injuries and the injured has been discharged from the hospital. However, he opposed to grant anticipatory bail to the petitioners.

5.Considering the rival submissions on either side and considering the fact that it is a case in counter, the nature of offence and the victim has been discharged from the hospital and also considering all other aspects, I am inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

6. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Palacode** on condition that the petitioners shall each 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 learned Magistrate concerned and on further condition that:

[a] the petitioners shall report before the respondent Police on every Saturday at 10.30 a.m. for four weeks;



Crl. O.P. No.20813 of 2024

[b] the petitioners 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 petitioners shall not leave India without the previous permission of the Court;

[d] the petitioners 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 petitioners in accordance with law as if the conditions have been imposed and the petitioners 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].

[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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To

1. The Judicial Magistrate, Palacode.
2. The Inspector of Police, Palacode Police Station,
Dharmapuri District.
3. The Public Prosecutor, High Court, Madras.



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