



Crl.O.P.No.21107 of 2024

Crl.O.P.No.21107 of 2024

WEB COPY

P.DHANABAL, J.

The petitioner apprehends arrest for the alleged offences under Sections 294(b), 323, 324, 379 and 506(2) of I.P.C in Crime No.325 of 2024, on the file of the respondent police seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant lodged a complaint stating that she and her two daughters are living with her parents. The defacto complainant having brother namely Mohan and his wife Kalyani. On 12.06.2024, there was a fight between the Mohan and his wife Kalyani. On seeing the fight, sister of the Kalyani namely Silpa and her husband Udaya/petitioner beaten the brother of the defacto complainant. When this was questioned by the defacto complainant, petitioner assaulted the defacto complainant in stomach and used filthy language. The Wife of the petitioner threatened the defacto complainant by using wooden log and she cut three sovereign chain of the defacto complainant and gave it to the petitioner. Hence, the complaint.



CrI.O.P.No.21107 of 2024

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. The petitioner has been falsely implicated in this case. However, on instructions, the learned counsel further submits that the petitioner is ready and willing to abide by any conditions that may be imposed by this Court and he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police submitted that the petitioner assaulted the defacto complainant in stomach and used filthy language. The Wife of the petitioner threatened the defacto complainant by using wooden log and they ran away by cutting three sovereign chain of the defacto complainant 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 there is no previous case pending as against the petitioner, this Court is inclined to grant



CrI.O.P.No.21107 of 2024

anticipatory bail to the petitioner with certain conditions.

WEB COPY

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 *XVI Metropolitan Magistrate., G.T., Chennai*, 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 on every Saturday, 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 of the Court or to any police officer.

[c] the petitioner shall not leave India without the previous permission of the Court.



CrI.O.P.No.21107 of 2024

WEB COPY

[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.

30.08.2024

nsI



WEB COPY



Crl.O.P.No.21107 of 2024

P.DHANABAL, J.

nsI

Crl.O.P.No.21107 of 2024

30.08.2024