



Crl. O.P. No.21450 of 2024

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P. DHANABAL.J.,

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The petitioner / Accused No.4 who apprehends arrest in the hands of the respondent police for the offences punishable under Section 123 of B.N.S. in connection with the Cr. No.1159 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 18.08.2024, when the defacto complainant went to TMF Hospital at around 12.45 p.m. to deload near the railway station, this petitioner along with other 3 persons, injected two pills mixed with glucose water into vein of the defacto complainant, for which the accused had collected Rs.200/- per pill and due to which, the defacto complainant got stomach upset. Hence the case.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not committed any offence as alleged by the respondent police, that he is an innocent, that the defacto complainant had purchased the pill only from A1 and this petitioner has been falsely implicated in this case and hence he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) appearing for the respondent police would contend that the petitioner is A4 and there are totally 4 accused and all are having habit of drugs and they have injected



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two pills mixed in glucose water and for which, they have collected Rs.200/- per pill, that the petitioner is having one previous murder case.

Hence he objected to grant anticipatory bail to the petitioner. Further he submitted that the co-accused were secured by the respondent police and there is no previous case of similar nature, pending against the petitioner.

5. Heard both sides and perused the materials available on record.

6. Considering the arguments put forth on either side, considering the nature of offence charged against the petitioner, considering the fact that no previous case is pending against the petitioner for the similar kind of offence and that all other accused were secured by the respondent police, I am inclined to grant anticipatory bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is 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 No.I, Tiruppur** 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 learned Magistrate



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concerned and on further condition that:

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[a] the petitioner shall report before the respondent police on everyday at 10.00 a.m. for a period of 30 days 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 them 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 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



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under Section 269 B.N.S.2023.

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09.09.2024

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To

- 1.The **Judicial Magistrate No.I, Tiruppur, Tiruppur District.**
- 2.The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Tiruppur North Police Station, Tiruppur District.

P.DHANABAL,J
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