



Crl. O.P. No.22009 of 2024

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P. DHANABAL.J.,

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The petitioner / Accused No.3 who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 115(2), 118(1), 351(3) and 109 of B.N.S. 2023 in connection with the Cr. No.261 of 2024, seeks anticipatory bail.

2. The case of the prosecution is on 30.08.2024, due to the previous enmity, at about 8 a.m., when the defacto complainant and her husband Yuvaraj were at house, one Rajesh and others entered into the house of the defacto complainant, assaulted the defacto complainant's husband with hands and knife and caused injuries. Hence the complaint.

3. The learned counsel appearing for the petitioner would submit that the petitioner has not involved in the crime, that he is an innocent, that he has not committed any offence as alleged by the defacto complainant and that he is ready to abide by any condition imposed by this Court. 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 due to previous enmity, A1 and



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A2 attacked the defacto complainant's husband with knife and this petitioner is A3 and he only caught hold the hands of the victim and the other accused assaulted him and he is having previous cases. Hence he objected for the grant of anticipatory bail. Further he submitted that the injured was discharged from the hospital and A1 & A2 were already secured by the respondent police.

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

6. Considering the arguments putforth on either side, considering the fact that the injured person was discharged from the hospital, that A1 and A2 were already secured by the respondent police, that though this petition is having previous cases, in all the cases, he was granted bail, 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 his appearance, within a period of fifteen days from the date on which the order copy made ready, before the **District Munsif-cum-Judicial Magistrate, Sozhinganallur** on condition that the petitioner



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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 concerned and on further condition that:

[a] the petitioner shall report before the respondent police daily at 10 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 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



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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 under Section 269 B.N.S.2023.

09.09.2024

mjs

To

- 1.The District Munsif-cum-Judicial Magistrate, Sozhinganallur
- 2.The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Kannagi Nagar Police Station,Tambaram.

P.DHANABAL,J
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