



Crl.O.P.No.24586 of 2024

Crl.O.P.No.24586 of 2024

WEB COPY **P.DHANABAL, J.**

The petitioners, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) and 351(3) of BNS in Crime No.186 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that there was a quarrel between the petitioners and the defacto complainant due to love affair between the third petitioner and cousin to the defacto complainant. On 15.09.2024, the petitioners have attacked defacto complainant and caused him a head injury and also used filthy language. Hence this case.

3. The learned counsel appearing for the petitioner would submit that the petitioner is innocent and he has not committed any offence as alleged by the prosecution and a false case has been foisted against him. Hence, he prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl. Side) would submit that it is a case and case in counter. He further submits that



CrI.O.P.No.24586 of 2024

due to a love affair between the third petitioner and the defacto complainants' cousin, Angel, there was a wordy quarrel between the petitioners and the defacto complainant, for which, the petitioners attacked the defacto complainant with a pipe and caused injuries to him. He further submits that the petitioner has no previous case, pending against him. He further submits that the injured was discharged from the hospital. However, he vehemently opposed to grant anticipatory bail to the petitioners.

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

6. Considering the submissions made on either side, the nature of offences and the injured was discharged from the hospital and there is a case in counter and considering the fact that no previous case is pending against the petitioners and also considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioners, subject to the following conditions:

7. 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 VIII Metropolitan Magistrate, George Town,*



CrI.O.P.No.24586 of 2024

Chennai on condition that the petitioners 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 petitioners shall report before the respondent police on every Saturday at 10.00 a.m., for a period of four weeks and thereafter as and when required for interrogation.

[b] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioners 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 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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

04.10.2024

rna



WEB COPY



CrI.O.P.No.24586 of 2024

P.DHANABAL,J.

rna

CrI.O.P.No.24586 of 2024

04.10.2024