



Crl. O.P. No.24274 of 2024

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P. DHANABAL, J.

The petitioners apprehends arrest for the alleged offences under Sections 296(b), 115(2), 118(1), 127(2), 109(1), 351(3) of BNNS in Cr. No.152 of 2024, on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that, on 10.09.2024 at about 8.30 p.m., due to previous enmity, the petitioners and their son, with intent to cause death, abused the brother of the defacto complainant and assaulted him. Hence, the respondent police registered a case against the petitioners along with the 1st accused. Hence, this petition.

3. The learned counsel appearing for the petitioners would contend that the petitioners have not committed any offence as alleged by the respondent police and that they are innocent and they have been falsely implicated in this case and hence he prayed to grant anticipatory bail to the petitioners.



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4. The Learned Government Advocate (Criminal side) appearing for the respondent police would submit that the petitioners, due to the previous enmity, have assaulted the brother of the defacto complainant and caused injuries. However, he submitted that, the injured was discharged from the hospital and there is no previous case of similar nature, pending against the petitioners.

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

6. Considering the arguments putforth on either side, considering the fact that no previous case is pending against the petitioners and the injured person was discharged from the hospital and considering the nature of offences involved in this case, I am 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 **Judicial Magistrate, Thandrapet**, on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with



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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 daily at 10.00 a.m. until further orders.

[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 them 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.

04.10.2024

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To

1. The **Judicial Magistrate, Thandrampet**
2. The Inspector of Police,
Vanapuram Police Station,
Tiruvannamalai District.
3. The Public Prosecutor, High Court, Madras.

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