



Crl.O.P.No.24599 of 2024

Crl.O.P.No.24599 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 126(2), 296(b), 115(2), 118(1), 351(3) of BNS in Crime No.314 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 17.09.2024 around 5.00 pm the petitioner along with other accused have abused the filthy language and attacked the defacto complainant with Beer Bottles and caused grievous injuries and also threatened with dire consequences. Hence this case.

3. The learned counsel for the petitioners would contend that the petitioners are an innocent persons and they have not committed any offence as alleged by the prosecution. Therefore, he prays to grant anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) would submit that on 17.09.2024 around 5.00 pm the petitioner along with other accused have abused the filthy language and attacked the defacto complainant with Beer Bottles and caused grievous injuries and also threatened with dire consequences and 3 previous cases are pending against the first petitioner and 6 previous cases are



CrI.O.P.No.24599 of 2024

pending against the second petitioner and 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 rival submissions on either side, the nature of offences and there is some wordy quarrel between the parties and the injured was discharged from the hospital and though 3 previous cases are pending against the first petitioner and 6 previous cases are pending against the second petitioner in all cases already bail was granted to them, 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 IX Metropolitan Magistrate at Saidapet* 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:



CrI.O.P.No.24599 of 2024

[a] the petitioners shall report before the trial Court on every Monday 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.24599 of 2024

P.DHANABAL,J.

rna

CrI.O.P.No.24599 of 2024

04.10.2024