



Crl.O.P.No.24655 of 2024

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

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 118(1), 351(3) of BNS in Crime No.672 of 2024 on the file of the respondent police, seeks anticipatory bail.

2. The case of the prosecution is that on 21.09.2024 at about 8.45 PM, when the defacto complainant's husband was proceeding near Mariyamman Kovil Street, due to previous enmity, the petitioner attacked him with an iron rod. When the defacto complainant's relative attempted to intervene, the petitioner threatened them with dire consequences. 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.



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WEB COPY 4. The learned Government Advocate (Crl. Side) would submit that due to previous enmity, on the date of the alleged occurrence, when the defacto complainant's husband was returning home after work, at that time, the petitioner attacked the defacto complainant with an iron rod, causing 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 petitioner.

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

6. Considering the submissions of both sides, the nature of offence charged against the petitioner and considering the fact that the injured has been discharged from the hospital and that there is no previous case is pending as against the petitioner, and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain 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



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learned Judicial Magistrate Court, Vanur, Villupuram 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 concerned and on further condition that:

[a] the petitioner 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 petitioner shall not tamper with evidence or witness either during investigation or trial.

[c] the petitioner 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 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].

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

04.10.2024

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