



Crl.O.P.No.25258 of 2024

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K.GOVINDARAJAN THILAKAVADI, J.

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The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 132 of BNS Act, 2023 in Crime No.308 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is working as a Conductor in a Government bus and there was a dispute between the defacto complainant and petitioner/A1. Due to which, the petitioner along with other accused abused the defacto complainant in a filthy language and also attacked and threatened him with dire consequences. Hence, the complaint.

3. The learned counsel appearing for the petitioner submits that the petitioner is an innocent person and he has not committed any such offence as alleged by the prosecution. He further submitted that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court and hence, he prays to grant anticipatory bail to the petitioner.



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4. The learned Government Advocate (CrI.side) would submit that there was a wordy quarrel between the petitioner and the defacto complainant due to which, the petitioner/A1 along with other accused abused the defacto complainant and also attacked him. He would also submit that the petitioner has no previous case. However, he vehemently opposed to grant anticipatory bail to the petitioner.

5. Taking into consideration the facts and the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions.

6. Accordingly, the petitioner is ordered to be released on bail in the event of arrest or on his appearance, within a period of fifteen (15) days from the date of receipt of a copy of this order before the **learned Judicial Magistrate, Kalasapakkam, Tiruvannamalai District**, 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 respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned and on



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further condition that:

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[a] the petitioner and the sureties shall affix their photographs and left thumb impression in the surety bond and the Court concerned may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police on every Saturday at 10.30 a.m., for a period of two months and thereafter, as and when required for interrogation;

[c] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[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 has been imposed and the petitioner is 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]*; and;



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[f] if the accused thereafter absconds, a fresh FIR
can be registered under Section 269-BNS;

09.10.2024

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