



Crl.O.P.No26340 of 2024

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P.DHANABAL,J.

The petitioner/accused, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 294(b), 323 and 506(ii) of IPC in Crime No.88 of 2023 seeks anticipatory bail.

2. The case of the prosecution is that there was a dispute between the petitioner and defacto complainant with regard to fixation of gate in front of the Perumal Temple, due to which, the petitioner along with others abused and attacked the defacto complainant and caused injuries to him and also threatened him with dire consequence. Hence, the case.

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 and he has been falsely roped into this case. He further states that the petitioner is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the



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petitioner.

4. The learned Government Advocate (CrI.Side) appearing for the respondent submits that there was a dispute between the petitioner and defacto complainant with regard to fixation of gate in front of the Perumal Temple, due to which, the petitioner along with others abused and attacked the defacto complainant and caused injuries to him and also threatened him with dire consequence. He further submits that the petitioner is having eight previous cases. Hence, he vehemently, opposed to grant anticipatory bail to the petitioner.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (CrI.Side) and perused the materials available on record.

6. Considering the nature of offence, injured had discharged from the hospital, though he has eight previous cases, all are old cases except the offence under Section 506(ii) of IPC and all other offences are bailable in nature and considering all other aspects, this Court is inclined to grant



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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 days from the date on which the order copy made ready, before the learned **XVI Metropolitan Magistrate Court, George Town, Chennai** 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 10.30 a.m., for a period of four weeks.

[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



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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].

[e] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

25.10.2024

Vv



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