



CrI.O.P.No26584 of 2024

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P.DHANABAL,J.

The petitioner/A1, who apprehends arrest at the hands of the respondent police for the alleged offence punishable under Sections 296(b), 115(2), 309(6) and 351(3) of Bharatiya Nyaya Sanhita Act, 2023 in Crime No.223 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that on 07.07.2024, the defacto complaint was returning in his Auto Rickshaw bearing Regn.No.TN-66-AD-2208, after attending a family function, when he had entered a road near NTC colony, the petitioner along with others who have parked their two wheelers and obstructed the traffic, picked up a quarrel with the defacto complainant and abused in filthy language and caused injuries and also threatened him with dire consequences. 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. He further submits there is no previous cases



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against the petitioner and he is ready to abide by any stringent conditions imposed by this Court. Therefore, he prays to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Crl.Side) appearing for the respondent submits that there was a wordy quarrel between the parties regarding parking of vehicles. He admits that there is no previous case against the petitioner and the injured had discharged from the hospital . However, 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 (Crl.Side) and perused the materials available on record.

6. Considering the nature of offence, there is no previous cases against the petitioner, injured was discharged from the hospital and considering all other aspects, this Court is inclined to grant anticipatory bail to the petitioner with certain conditions:



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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 **Judicial Magistrate Court-I, Coimbatore 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 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., until further orders.

[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

P.DHANABAL, J.



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