



Crl.O.P.No.27087 of 2024

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A.D.JAGADISH CHANDIRA, J.

The Petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 132 & 351(2) of BNS, 2023, in Crime No.703 of 2024, on the file of the respondent police, seeks anticipatory bail.

2.The case of the prosecution is that on 09.10.2024 at about 16.00 hours, when the defacto complainant, who is an employee of the Chennai Corporation tried to remove the banner fixed by the petitioner, the petitioner abused the defacto complainant in filthy language and threatened him with dire consequences. Hence, the case.

4.The learned counsel for the petitioner would submit that the Petitioner is innocent and he has been falsely implicated in this case. He would further submit that there is no previous case against the petitioner. He would further submit that the petitioner is ready to abide by any condition that may be imposed by this Court. Hence, he prays for grant of anticipatory bail to the petitioner.



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5.The learned Government Advocate (Crl. Side) would submit that the petitioner called the defacto complainant and threatened him through his cell phone and prevent him from doing his duty as he was attempting to remove the banner fixed by the petitioner. He would further submit that there is no previous case against the petitioner. However, he vehemently opposed to grant anticipatory bail to the petitioner.

6.Heard the learned counsel for the petitioner and the learned Government Advocate (Crl.side) for the respondent and perused the materials available on record.

7.Considering the facts and circumstances of the case and the submission that the petitioner has no bad antecedents, I am inclined to grant anticipatory bail to the petitioner subject to the following conditions:

(a) 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 of receipt of a copy of this order, before the ***V Metropolitan Magistrate, Egmore, Chennai***, on condition that the petitioner shall execute



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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 said Magistrate, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[b] the petitioner shall report before the respondent police daily at 10.30 a.m for a period of two weeks and thereafter, on every Monday at 10.30 a.m., until further orders.

[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 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]**;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

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