



Crl. O.P. No.30240 of 2024

Crl. O.P. No.30240 / of 2024

P. DHANABAL.J.,

WEB COPY

The petitioners / A4 and A5, who apprehend arrest in the hands of the respondent police for the offences punishable under Sections 126(2), 296(b), 115(2), 118(1), 109, 324, 125(a) and 351(3) of B.N.S. in connection with the Cr. No.395 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 12.09.2024, when the defacto complainant parked his auto near Nainiyappam Street, the accused persons waylaid the defacto complainant and demanded money for the parking the auto and when the same was refused by the defacto complainant, A1 along with other persons, stabbed at the defacto complainant's hand and his son's leg and the defacto complainant sustained injuries. Hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case as against this petitioner for the alleged offences under Sections 126(2), 296(b), 115(2), 118(1), 109, 324, 125(a) and 351(3) of B.N.S. In fact, the petitioners are signing before the respondent police in an another case in Cr. No.285 of 2024 and hence in this case also, these petitioners have been implicated by the respondent police and they are in no way connected with the offences as alleged by



Crl. O.P. No.30240 of 2024

the prosecution and hence prayed to grant anticipatory bail to the petitioner.

4. The learned Government Advocate (Criminal Side) would submit that due to the dispute arose out of parking of vehicle, there was quarrel between the parties and the accused demanded money for parking and when the defacto complainant refused to give money, the accused attacked the defacto complainant with knife and stabbed the defacto complainant and his son and the defacto complainant had taken treatment in the hospital. These petitioners are A4 and A5. Case is under investigation and thereby strongly opposed to grant anticipatory bail to the petitioner.

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

6. Considering the rival submissions on either side, considering the nature of offences, considering the fact that the injured was discharged from the hospital and the co-accused were released on bail, though the petitioners are having some previous cases, in all the cases, they were granted bail and though this Court dismissed the earlier anticipatory bail application filed by the petitioner, no steps have been taken by the respondent police to secure the petitioners, I am inclined to grant anticipatory bail to the petitioners subject to the following conditions.



Crl. O.P. No.30240 of 2024

WEB COPY

7. Accordingly, the petitioners are 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 on which the order copy made ready, before the learned **XV Metropolitan Magistrate, George Town, Chennai** on condition that the petitioners shall each 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 petitioners shall report before the **Siva Kanchi Police Station daily at 10 a.m. until further orders.**

[b] the petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer or tamper with the evidence;

[c] the petitioners shall not leave India without the previous permission of the Court;

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned



Crl. O.P. No.30240 of 2024

Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners 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 abscond, a fresh FIR can be registered under Section 269 B.N.S.2023.

05.12.2024

mjs

To

- 1.The XV Metropolitan Magistrate, George Town, Chennai.
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, H4 Korrukupet Police Station, Chennai.
4. The Inspector of Police, Siva Kanchi Police Station, Kancheepuram District.

P.DHANABAL,J

mjs



WEB COPY



Crl. O.P. No.30240 of 2024

CRL O.P. No.30240 of 2024

05.12.2024