



Crl.O.P.No27143 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 189(2), 191(2), 126(2), 296(b), 115(2), 118(2), 125 and 351(3) of BNS in Crime No.1141 of 2024 seeks anticipatory bail.

2. The case of the prosecution is that the petitioner and the defacto complainant are students of the same college and there was a dispute already existing between them, due to which the petitioner herein along with his friends/co-accused abused and attacked the defacto complainant and his friends and caused injuries and also threatened them 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 and he has been falsely roped into this case. He



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further states that the the co-accused was enlarged on anticipatory bail by this Court vide order dated 17.10.2024 in CrI.OP.No.25394 of 2024 and this petitioner 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 (CrI.Side) appearing for the respondent submits that the petitioner and the defacto complainant are students of the same college and there was a dispute already existing between them, due to which the petitioner herein along with his friends/co-accused abused and attacked the defacto complainant and his friends and caused injuries and also threatened them with dire consequences. He further submits that the there is no previous cases against the petitioner. He further submits that the injured had already been 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 (CrI.Side) and perused the materials available on record.



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6. Considering the nature of offence, injured had already been discharged from the hospital, there is no previous case against the petitioner and also the fact that the co-accused had already been discharged from the hospital and considering all other aspects, this Court is inclined to grant 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 **Judicial Magistrate-II, Poonamalle** 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



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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 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.

29.10.2024

Vv



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