



Crl.O.P.No.27666 of 2024

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A.D.JAGADISH CHANDIRA.,J.

The petitioners, who apprehends arrest at the hands of the respondent police for the offence punishable under Sections 126(2), 296(6), 15(2), 113(1), 351(3) of BNS r/w 4 of TNPHW Act in Crime No.313 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 30.09.2024 when the defacto complainant's 2nd son was on the way to the temple the accused had waylaid him and assaulted him and when the defacto complainant rushed to the place and questioned the accused they have assaulted the defacto complainant and her son resulting in him sustaining a fracture in her left hand. Hence the complaint.

3. Learned counsel appearing for the petitioners submitted that the petitioners are an innocent person and they have been falsely implicated in this case. He also submitted that the petitioners are no way connected with the alleged offence and the alleged injured are said to have been discharged from the hospital. Hence, he prayed to grant anticipatory bail to the petitioners.



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4. Learned Government Advocate (CrI.Side) appearing for the respondent police submitted that due to the previous enmity, there was some wordy quarrel during which the accused assaulted the defacto complainant and her son. He further submitted that no previous cases are pending against the petitioners. The injured has been discharged. Hence, he opposed for granting anticipatory bail to the petitioners.

5. Heard the learned counsel appearing for the petitioners and the learned Government Advocate (CrI.Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration the facts and circumstances of the case, the submissions made by the learned counsel on either side, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the *learned Additional District Mahila Court, Thiruvallur*, on condition that the petitioners 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 respondent police or the police officer who intends to arrest or to the



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satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

(a) the sureties shall affix their photographs and left thumb impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

(b) the petitioners shall report before the respondent police everyday at 10.30 a.m., until further orders;

(c) the petitioners shall not tamper with evidence or witness either during investigation or trial;

(d) the petitioners 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 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]***; and;

(f) If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

05.11.2024

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