



WEB COPY



Crl.O.P.No.27579 of 2024

Crl.O.P.No.27579 of 2024

A.D.JAGADISH CHANDIRA, J.

The petitioners/A3 and A4 who apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 118(1) of B.N.S. in Crime No.606 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that, due to previous enmity, the petitioners along with two other accused attacked the defacto complainant and his friend Murugan with hands and iron rod. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the petitioners have not committed any offence as alleged by the prosecution and they have been falsely implicated in this case. Hence, he prayed for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioners stating that due to previous enmity, the petitioners along with two other accused, attacked the defacto complainant and his friend



Crl.O.P.No.27579 of 2024

Murugan with hands and iron rod and caused them injuries. He further submitted that the injured have been discharged from hospital and that there is one previous case against the petitioners under the City Police Act.

5. Heard the learned counsel for the petitioners, the learned Government Advocate (Crl. Side) appearing for the respondent police and perused the materials available on record including the FIR.

6.Taking note of the facts and circumstances of the case, the submissions made by the learned counsel on either side and also considering the fact that the injured have been discharged from the hospital, 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 Xth Metropolitan Magistrate, Egmore, Chennai**, on condition that the petitioners shall execute a separate bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only) with two sureties each** for a



Crl.O.P.No.27579 of 2024

like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:

[a] the petitioners and 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. and 6.30 p.m. for a period of one month and thereafter, every Monday 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



WEB COPY



Crl.O.P.No.27579 of 2024

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.

06.11.2024

ksa-2



WEB COPY



Crl.O.P.No.27579 of 2024

A.D.JAGADISH CHANDIRA, J.,

ksa-2

Crl.O.P.No.27579 of 2024

06.11.2024