



Crl. O.P. No.27606 of 2024

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P. DHANABAL.J.,

The petitioner / Accused, who apprehends arrest in the hands of the respondent police for the offences punishable under Sections 194(1) of B.N.S.S. @ 296(b), 118(1) and 108 of B.N.S. in connection with the Cr. No.208 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that on 07.09.2024, the deceased committed theft of cattle belongs to A2 and hence the petitioner along with other accused have assaulted the deceased, due to which, the deceased committed suicide and hence the case.

3. The learned counsel for the petitioner would contend that the this petitioner has been falsely implicated in this case by the respondent police for the alleged offences under Sections 194(1) of B.N.S.S. @ 296(b), 118(1) and 108 of B.N.S. and he is no way connected with the suicide committed by the deceased. Substantial part of investigation is already over. Co-accused were arrested and subsequently they were released on bail and hence he may be released on anticipatory bail .

4. The learned Government Advocate (Criminal Side) would submit



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that on 07.09.2024, the petitioner along with other accused have assaulted the deceased for the theft of cattle belongs to A2, due to which, the deceased committed suicide by hanging and hence based on the complaint given by the defacto complainant, this case was registered against the accused. Hence he opposed to grant anticipatory bail to the petitioner. However, he admitted that the co-accused were already secured and released on bail and there is no previous case pending against 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 there is no previous case pending against this petitioner and co-accused were already secured and released on bail, I am inclined to grant anticipatory bail to the petitioner subject to the following 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



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Judicial Magistrate No.II, Tiruvannamalai 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 daily at 10 a.m. until further orders.

[b] the petitioner 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 him from disclosing such facts to the Court or to any police officer;

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

[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].



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[f] If the accused thereafter abscond, a fresh FIR can be registered

WEB COPY under Section 269 B.N.S.2023.

30.10.2024

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To

- 1.The Judicial Magistrate No.II, Tiruvannamalai
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Mangalam Police Station, Tiruvannamalai District.

P.DHANABAL,J
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