



WEB COPY



Crl.O.P.No.27723 of 2024

Crl.O.P.No.27723 of 2024

A.D.JAGADISH CHANDIRA, J.

The petitioners who apprehend arrest at the hands of the respondent police for the offence punishable under Sections 191(2), 126(2), 296(b), 115(2), 118(2) and 351(3) of B.N.S. in Crime No.413 of 2024, on the file of the respondent police, seek anticipatory bail.

2.The case of the prosecution is that during Diwali celebration, there was a quarrel between the defacto complainant and the accused due to which, the petitioners along with other accused abused the defacto complainant and his friends with filthy language and also attacked them with hands and brandy bottles. Hence, this case.

3. The learned counsel appearing for the petitioners submitted that the 2nd petitioner is the mother of the 1st petitioner and they have not committed any offence as alleged by the prosecution and that they have been falsely implicated in this case. He further submitted that there is a case in counter registered against the defacto complainant. Hence, he prayed for grant of anticipatory bail to the petitioners.



Crl.O.P.No.27723 of 2024

WEB COPY

4. The learned Government Advocate (Crl. Side) appearing for the respondent police opposed for grant of anticipatory bail to the petitioners stating that during Diwali celebration, there was a quarrel between the parties in a drunken state during which, the petitioners along with other accused abused the defacto complainant and his friends with filthy language and also attacked them with hands and brandy bottles and caused them simple injuries. He further submitted that there is one previous case against the petitioners.

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 all other aspects, 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



Crl.O.P.No.27723 of 2024

WEB COPY

the learned XIV 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 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 06.30 p.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.27723 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.27723 of 2024

A.D.JAGADISH CHANDIRA, J.,

ksa-2

Crl.O.P.No.27723 of 2024

06.11.2024