



Crl. O.P. No.30243 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 296(b), 118(1) and 121(1) of B.N.S. in connection with the Cr. No.425 of 2024, seeks anticipatory bail.

2. The case of the prosecution is that the defacto complainant is a Branch Manager in Metropolitan Transport Corporation, Adambakkam, while so, on 23.10.2024, due to the amount dispute, there was a wordy quarrel between the petitioner, who is working as Conductor and the defacto complainant, he attacked the defacto complainant using the ticket box, thereby, the defacto complainant sustained injuries. Hence the case.

3. The learned counsel for the petitioner would contend that the respondent police have registered a false case as against this petitioner for the alleged offences under Sections 296(b), 118(1) and 121(1) of B.N.S.. This is the counter complaint and as there is a cash dispute, this false complaint has been lodged by the defacto complainant only to harass the petitioner. The earlier anticipatory bail petition was dismissed. The petitioner is an innocent and he is nothing to do with the commission of the offences and he is ready to abide by any condition imposed by this



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Court and hence prayed to grant anticipatory bail to the petitioner.

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4. The learned Government Advocate (Criminal Side) would submit that both the petitioner and the defacto complainant are working in Metropolitan Transport Corporation and due to the money dispute between them, wordy quarrel arose, which led to attack and caused injuries to the defact complainant. Therefore, based on the complaint given by the defacto complainant, an FIR has been registered against the petitioner and therefore opposed to grant anticipatory bail to 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 the injured was discharged from the hospital and there is no previous case pending against the petitioner and also considering the fact that there was a wordy quarrel between the parties in the workplace, 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 (15) days from the date on which the order copy made ready, before the



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learned **Judicial Magistrate No.II, Alandur** 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 a.m. for a period of 4 weeks and thereafter as and when required for interrogation.

[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 or tamper with the evidence;

[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



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of Kerala [(2005)AIR SCW 5560].

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under Section 269 B.N.S.2023.

05.12.2024

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To

- 1.The Judicial Magistrate No.II, Alandur
2. The Public Prosecutor, High Court, Madras.
- 3.The Inspector of Police, Adambakkam Police Station, Chennai.

P.DHANABAL,J

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CRL O.P. No.30240 of 2024



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05.12.2024