



Crl.O.P.No.28567 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest in connection with Crime No.283 of 2024, registered for the offences punishable under Sections 294(b), 353, 506(1) of IPC r/w Section 4 of TNPHW Act, on the file of the respondent Police, seeks anticipatory bail.

2. The case of the prosecution is that, while the de facto complainant Sub-Inspector of police was conducting vehicle check up, the accused who is an Advocate threatened him and also abused the women constable who was along with the on-duty. Hence, the case.

3. Learned Counsel for the petitioner would submit that the petitioner is an innocent person and a false complaint has been given against him. He would submit that on 30.04.2024, the petitioner has accompanied his client one Michael to the Anna Nagar Police Station, at that time, the Sub-Inspector, one Benazir Begum threatened his client Michael and abused him. When it was questioned by the petitioner, the Sub-Inspector also assaulted the petitioner and later due to intervention of Assistant Commissioner of Police, the said Sub-Inspector apologies the



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petitioner and thereby, the case was closed. In order to take revenge against the petitioner, a false complaint has been given after 19 days on 19.05.2024. He would reiterate that the petitioner is an practising Advocate and he has not committed any offence as alleged by the respondent. Hence, he prayed for grant of anticipatory bail to the petitioner.

4. Learned Government Advocate (Crl.Side) appearing for the respondent police while opposing for grant of anticipatory bail to the petitioner, would submit that as per the prosecution, the petitioner is said to have abused the defacto complainant and his colleague. He would further submit that the investigation in this case has been completed and the final report has been filed through e-filing before the learned XIII Metropolitan Magistrate, Egmore, Chennai.

5. Heard the learned Counsel for the Petitioner, the learned Government Advocate (Crl.Side) for the respondent and perused the entire materials available on record.

6. Considering the above facts and circumstances of the case, the submissions made by the learned counsel on either side, this Court is



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inclined to grant anticipatory bail to the petitioner with certain conditions.

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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 **learned XIII Metropolitan Magistrate, Egmore, Chennai**, 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 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 petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of his Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the XIII Metropolitan Magistrate, Egmore, Chennai on summons;

[c] the petitioner shall not tamper with evidence or

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witness either during investigation or trial;

[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]**;

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

19.11.2024

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