



Crl.O.P.No.28227 of 2024

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A.D.JAGADISH CHANDIRA, J.

The petitioner, who apprehends arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 109, 351(3) BNS in Crime No.319 of 2024, seeks anticipatory bail.

2.Heard the learned counsel appearing on behalf of the parties.

3.The case of the prosecution is that due to previous enmity, the petitioner along with other accused, assaulted the de facto complainant with a knife, causing an injury to his right ring finger. Hence the case.

4.The learned counsel for the petitioner submitted that the petitioner is an innocent person and he has been falsely implicated in this case. He further submitted that there is no previous case pending against the petitioner. He further submitted that the petitioner is ready and willing to abide by any condition that may be imposed on him.



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5.The learned Government Advocate (Crl. Side) while opposing for grant of bail to the petitioner submitted that due to previous enmity, the petitioner along with other accused, assaulted the de facto complainant with a knife, causing an injury to his right ring finger. He further submitted that the injured was already discharged from the hospital and there is no previous case pending against the petitioner.

6.Taking into consideration the facts of the case and the submission that the petitioner has no bad antecedents and the injured was already discharged from the hospital, 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 of receipt of a copy of this order, before the learned **Judicial Magistrate II, Sankari** 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 said Magistrate, on further condition that:



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[a] if the petitioner fail to surrender before the said Magistrate within a period of fifteen days, this Order shall stand automatically cancelled;

[b] the petitioner shall stay at Chennai and report before the Inspector of Police, Villivakkam Police Station daily at 06.30 p.m., until further orders;

[c] the petitioner shall not tamper with evidence or 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 269 BNS.

12.11.2024

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Dated: 12.11.2024